
**MINUTES OF THE WORK SESSION
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, AUGUST 14, 2012 - 5:00 P.M.**

Mayor Ken Moore	P		
Alderman Brandy Blanton	P	Alderman Margaret Martin	P
Alderman Clyde Barnhill	P	Alderman Dana McLendon	A
Alderman Pearl Bransford	P	Alderman Ann Petersen	P
Alderman Beverly Burger	P	Alderman Michael Skinner, Vice Mayor	P
	P		
<u>Department Directors/Staff</u>			
Eric Stuckey, City Administrator	P	Shirley Harmon, HR Director	P
Vernon Gerth, ACA Community & Economic Dev.	P	Mark Hilty, Water Management Director	P
Russell Truell, ACA Finance & Administration	P	Paul Holzen, Engineering Director	
David Parker, CIP Executive/City Engineer	P	Catherine Powers, Planning/Sustainability Director	P
Shauna Billingsley, City Attorney	P	Joe York, Streets Director	P
Rocky Garzarek, Fire Chief	P	Brad Wilson, Facilities Project Manager	P
David Rahinsky, Police Chief	P	Rodney Escobar, Risk Manager	P
Fred Banner, MIT Director	P	Dan Allen, Interim Assistant Director Engineering	P
Chris Bridgewater, BNS Director	P	Lanaii Benne, Assistant City Recorder	P
Becky Caldwell, Solid Waste Director	P	Linda Fulwider, Board Recording Secretary	P
Lisa Clayton, Parks Director	P		

1. Call to Order

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

2. Citizen Comments

- ★ Mayor Moore announced those who wish to speak during Citizen Comments should print their name and address on the "Speaker Cards" on the table just inside the entry doors. This will allow the recorder to enter correct names and addresses in the minutes.

Patty Murdock, 130 Jordan Road and her neighbor Robin voiced concern about speeders on Jordan Road between Liberty Pike and Hwy 96. The police have been called numerous times. Speeders have hit family pets, mailboxes and trash containers. Because of the hill, residents cannot see oncoming traffic when backing out of driveways. Drivers have gone around school buses with the stop signal out to avoid collision. The road is steep at Liberty Pike and at Cambridge. The speed limit is 30 mph. They want to go through proper channels to make sure something is done about this very dangerous situation.

Alderman Burger requested the problem be addressed at the second Work Session in September; however, Eric Stuckey related staff has been working on this issue and it would be better to have the Capital Investment Committee address the situation first.

WORK SESSION DISCUSSION ITEMS

3. **Presentation and Ordinance Amendment on Emergency Management** **Rodney Escobar, Risk Manager**

Eric Stuckey explained Mr. Escobar's presentation covers what staff would like to integrate in the Municipal Code. The actual amendment and plan will be brought forth at a later meeting. Mr. Escobar added that two years ago Mr. Stuckey recognized the need for a plan to respond to the aftermath of incidents and for continuity of government.

Emergency Operations Plan

Purpose for updating Ordinance 2012-33 and enacting the Franklin Emergency Management Operational Plan

- It is recommended to the BOMA that the Franklin Emergency Management Operational Plan (FEMOP) will be immediately enacted upon adoption of Ordinance 2012-33, which will be brought to BOMA at a later date.
- The FEMOP predetermines actions to be taken by all City Departments and developing cooperating partnerships with private and other governmental organizations to reduce the vulnerability of City residents, City government and City infrastructure when a major emergency or disaster occurs;
- Provides standardized terminology, organizational structures, processes, and procedures designed to improve interoperability among other jurisdictions, private sector, and nongovernmental organizations.
 - To Respond Effectively
 - To Transition to Recovery in Timely Manner

NIMS Structure

- This plan is designed to be consistent with the Williamson County Emergency Management Plan and the State of Tennessee's commitment to a comprehensive approach to emergency management by addressing all hazards and natural disasters through the use of the National Incident Management System and Incident Command Systems.
- The National Incident Management System is an emergency management principle used across the United States to coordinate emergency preparedness, incident management, and emergency response among public entities and the private sector.

Incident Command Systems

- ICS is based upon a flexible, expandable response that provides a common framework within a specific incident which allows responders to work together effectively. These responders may be drawn from multiple agencies that do not routinely work together, and ICS is designed to give standard response and operation procedures to reduce the problems and potential for miscommunication on such incidents

The Benefits of the Franklin Emergency Management Operational Plan

- A standardized approach to incident management that is scalable and flexible
- Enhanced cooperation and interoperability among responders
- Comprehensive all hazards preparedness
- Efficient resource coordination among jurisdictions or organizations
- Integration of best practices and lessons learned for continuous improvement

Four Phases of Emergency Management

- Mitigation - Activities that either prevent the occurrence of an emergency or disaster or reduce the community's vulnerability in ways that minimize the adverse impact of a damaging event.
- Preparedness - Activities, programs, and systems that exist before an emergency or disaster used to support and enhance response to an emergency or disaster. Planning, training, and exercising are among the activities conducted under this phase.
- Response - Activities and programs designed to address the immediate and short-term effects of the onset of an emergency disaster. Effective response helps to reduce casualties, damage, and speeds recovery. Response activities include direction and control, warning, evacuation, and other similar operations.
- Recovery - Activities and events necessary to return lifestyles and systems to normal. Short-term recovery actions are taken to assess damage and return vital life-support systems to minimum operating standards; long-term recovery actions may continue for many years.

BOMA's Current Role/New Recommendations

- Currently, BOMA can appoint a City of Franklin "Emergency Planning Manager"
- BOMA has the option to appoint the City Administrator as the Director of Emergency Management, which will allow the City Administrator the ability to delegate this role to specific personnel depending on the circumstance of the emergency or disaster (which provides more flexibility regarding the Continuity of Government if lines of succession are disrupted)
- Currently, powers and authorities are established in T.C.A. § 58-2-110; however, the BOMA **may by resolution**

authorize the City Administrator to exercise, in any part of the municipality affected by a declaration of a local state of emergency, those specific powers enabled in said statute and assumed by the BOMA or mayor.

Option, Powers and Authorities Established in T.C.A. § 58-2-110, to Establish Delegation Powers to the City Administrator

- Example - Brentwood, Tennessee
- Certain powers normally requiring the approval of the BOMA in nonemergency situations may be exercised by the City Administrator during emergencies as provided in this section. For instance, the BOMA may choose to set limits on the amount of emergency expenditures which may be authorized by the City Administrator.
- When emergency powers are exercised by the City Administrator, a report shall be provided by the City Administrator to the BOMA, detailing the powers exercised by the City Administrator that otherwise would have required the approval of the BOMA. The report shall include descriptions of any purchases approved by and contracts authorized by the City Administrator that would otherwise require advance approval by the BOMA. Acceptance of the report by the BOMA shall constitute ratification of any such contracts, purchases or other actions that would otherwise require approval in advance.
- Following an emergency declaration, the City Administrator may temporarily waive or reduce applicable permit fees normally assessed by the City for repairs or reconstruction work made necessary by the occurrence of the emergency. Any such waivers or reductions in permit fees shall be granted uniformly, provided that repair or reconstruction work must be directly related to a qualifying emergency before a waiver or reduction will be allowed. Waivers or reductions in permit fees under this section shall be in effect for a time period to be determined by the City Administrator, and may be granted retroactively to the date of the emergency.
- The powers granted to the City Administrator under this section may be exercised for a period of 7 days following the date of the emergency, provided that the BOMA may extend such period at its discretion, based on the scope of the emergency and the duration of the recovery period.

Continuity of Government

- The absence of an elected official or key department director must not restrain City of Franklin's ability to respond to an emergency or disaster. In an emergency or disaster situation, the City Administrator or their designee is authorized to activate the FEMOP and invoke emergency power in the absence of the Mayor and/or Vice Mayor.

Lines of Succession for Elected Officials

- The Mayor is chief elected official of the City of Franklin. The Vice Mayor shall perform the duties of the Mayor during the absence or inability of the Mayor to act.
- Recommendation; the City Administrator shall perform the duties of emergency management and has the authority to declare a state of emergency if both the Mayor and Vice Mayor are unable to act due to inability or absence.

Lines of Succession for the City Administrator

- The City Administrator is the chief administrative officer for the City of Franklin
- Per the proposed City of Franklin Ordinance 2012-33, in the temporary absence or disability of the City Administrator, an employee of the City designated by the Mayor or the City Administrator shall serve as City Administrator and/or Emergency Management Director

Continuity of Operations

- Continuity planning facilitates the performance of essential mission functions during an emergency situation that disrupts normal operations and/or the timely resumption of normal operations once the emergency has ended
- Preservation of important records and other measures to ensure reconstitution and continued operation of local government is essential in order to provide normal government operations after an emergency or disaster
- All vital records of both public and private nature recorded by all City of Franklin municipal officials must be protected, preserved, and backed up at an offsite facility. These include legal documents, property deeds, tax records, and other essential property, economic and societal records necessary to reconstitute the City's records. In addition, each department will develop a plan for relocation of its operations to another location in the event of destruction of department facilities

Emergency Support Function (ESF) Concept

- Each department is responsible for carrying out its assigned missions in the Emergency Support Function. The Primary agency is responsible for the following:
 - Conduct planning sessions during non-emergency
 - During emergencies, coordinate the flow of messages into and out of the Emergency Support Function group, coordinate activities of the ESF with the Franklin Communications Emergency Center and Incident Commander

Overview Description of Each Emergency Support Function

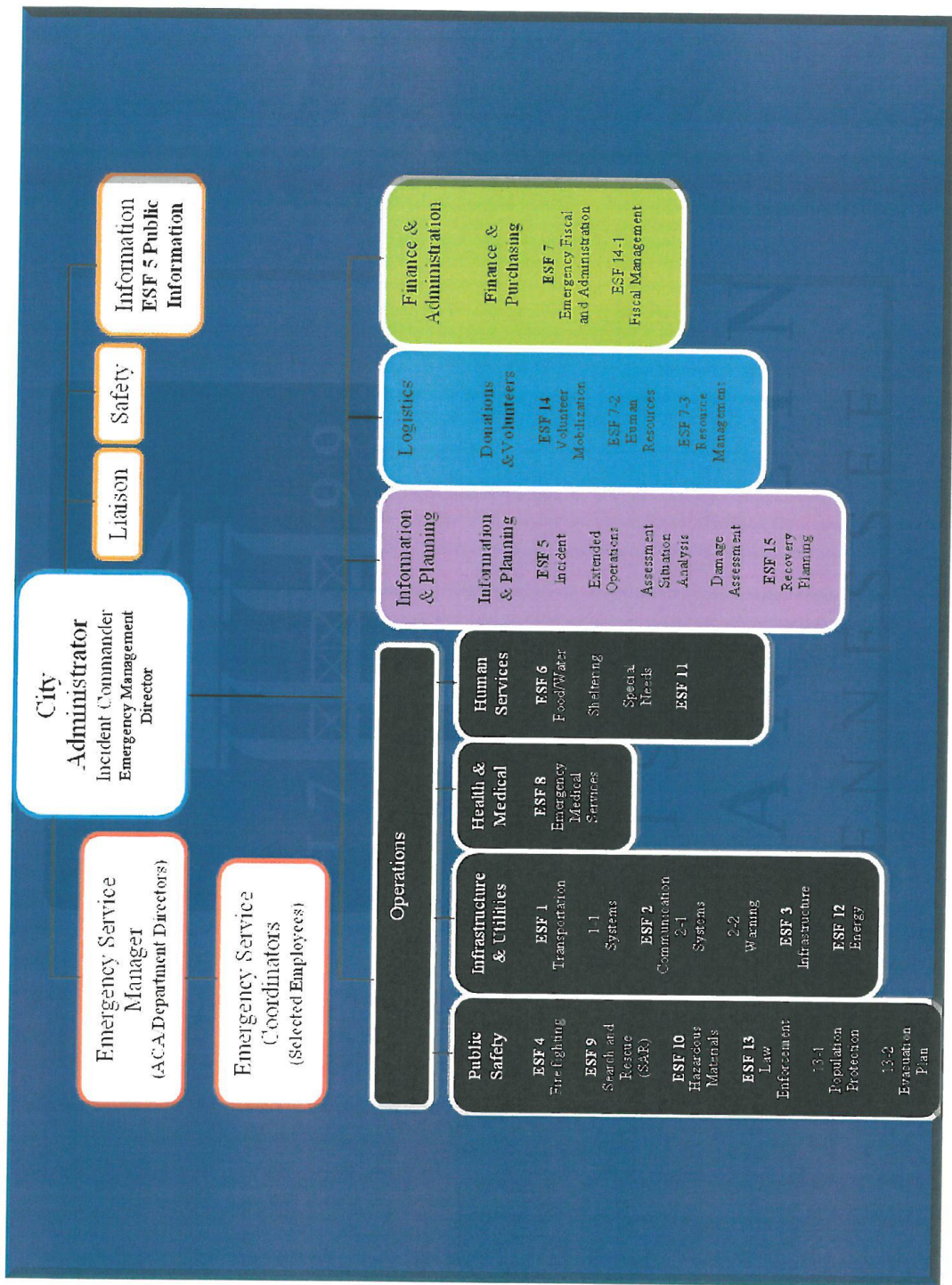
ESF	Function	Primary	Secondary
1	Transportation	Street Department	Police, Solid Waste, Finance, Purchasing, Fleet Maintenance, Parks, Engineering, Fire, Administration
2	Communications	MIT	Police, Fire, Amateur Radio Emergency Service, AT&T
3	Infrastructure	BNS, Street, Engineering, Solid Waste, Water	Police, Fire, Administration
4	Fire Fighting	Fire	Police, Street, and All Tasked Departments, American Red Cross, Williamson County Emergency Operations Center
5	Information & Planning	Administration	MIT, BNS, Fire, Police, Street, Engineering, Water, Risk Management, Facilities/Maintenance, MTEMC, AT&T, Verizon, ATMOS, and Private Water Utilities
6	Human Services	Parks	Administration, Finance, Police, Fire, Williamson County Emergency Management Agency, American Red Cross
7	Logistics	Finance	Administration & Tasked Departments
8	Health and Medical	Fire	Williamson County Emergency Medical Service, Williamson County Medical Center, and Williamson County Emergency Management Agency (WEMA)
9	Urban Search & Rescue	Fire	Police Department & All Tasked Departments
10	Hazmat	Fire	Police, Williamson County Emergency Management Agency, TEMA, Street, and All Tasked Departments
11	Food	Parks	Williamson County Emergency Management Agency, American Red Cross, Administration, Police, and Fire
12	Energy	Water	ATMOS, MTEMC, and all other Utilities
13	Law Enforcement	Police	All Tasked Departments
14	Donations & Volunteers	Community Foundation of Middle Tennessee, Williamson County Emergency Management Agency	Finance and All Tasked Departments
15	Recovery	Administration	All Tasked Departments
16	Animals in Disaster	Animal Control	WC Animal Control and Williamson County Emergency Management Agency

Command and Control

- When activated, the Franklin Emergency Communication Center, located at Police Headquarters, will be operated under the incident command concept and will follow the National Incident Management System (NIMS) guidelines
- The City Administrator will delegate positions in the command structure which will be filled by department directors, assistant department directors, and key employees. The assignment of these employees will be determined by the knowledge, skills, and abilities needed for the given emergency or disaster.
- Department directors (Emergency Service Managers) are responsible for designating the Emergency Services Coordinator (ESC) for their department, who shall report to the RECC upon activation

Organization and Assignment of Responsibilities

- Each department director shall serve as the Emergency Service Manager for their department and as such will appoint an Emergency Service Coordinator and at least one alternate Emergency Service Coordinator to represent the Department at the Franklin Emergency Communication Center in planning, response, and recovery operations



Discussion:

- ◆ This is not different from what is being done now, but it is not fully reflected in the ordinance
- ◆ Plans from other municipalities were studied
- ◆ Much of the team has gone through training and certification for the National Incident Management System
- ◆ Each department developed a plan for getting back in service
- ◆ Tabletop exercises done by leadership and will conduct one with staff in August
- ◆ Citizen Relief Fund not a function of the City. Partner with Community Foundation of Middle Tennessee to set up the fund and disburse funds to those in need in the community. This prompted discussion on the way the funds were handled in Nashville and if another entity such as the United Way should be involved in this.

4. **Consideration of Liquor License Retailer's Certificate (Renewal) for Cool Springs Wine & Spirits (Mr. James W. Woodard, Jr. Managing Agent), 1935 Mallory Lane, Franklin Tennessee 37067**
Lanaii Benne, Assistant City Recorder
5. **Consideration of Liquor License Retailer's Certificate (Renewal) for Franklin Wine and Spirits (David Clark, Managing Agent), 1400 Liberty Pike, Suite #300, Franklin, Tennessee 37067**
Lanaii Benne, Assistant City Recorder
6. **Consideration of Liquor License Retailer's Certificate (Renewal) for Mallory Lane Wine and Spirits (Robert Scales, Managing Agent), 3070 Mallory Lane #100, Franklin, Tennessee 37067**
Lanaii Benne, Assistant City Recorder
7. **Consideration of Liquor License Retailer's Certificate (Renewal) for Del Rio Wine and Spirits, Radhe Radhe Bal, LLC (Dahyabhai V. Patel, Managing Agent), 111 Del Rio Pike, Franklin Tennessee**
Lanaii Benne, Assistant City Recorder

Items 4 through 7 taken together with no questions or comments.

- 8.* **Consideration of ORDINANCE 2012-19, An Ordinance to Amend Franklin Municipal Code Title 18, to Standardize and Define Customer Classification**
Russ Truell, ACA Finance & Administration
Steve Sims, Assistant City Recorder

The Solid Waste fee portion was pulled from the ordinance and the focus is on the water and sewer aspect. It will get the multiple minimum in multi-family dwellings in the Code. It needs to be done prior to doing the rate study.

- 9.* **Consideration of Amendment No. 3 to TDOT Contract No. 050013, PIN 105717.00 (Contract No. 2011-0190) for Widening of SR 6 (Franklin Road) From Just South of SR 441 (Moore's Lane) to SR 253 (Concord Road)**

David Parker, City Engineer/CIP Executive

This is a three-party agreement with Brentwood responsible for the design, TDOT responsible for construction and utility location, and the City responsible for needed right-of-way within Franklin.

- 10.* **Consideration of Title 24 Special Assessment District; ORDINANCE 2011-12, An Ordinance to Establish Title 24 Special Assessment Districts**

David Parker, City Engineer/CIP Executive
Shauna Billingsley, City Attorney

There was lengthy discussion including:

- ◆ It was explained a special assessment district for streetscape, such as Main Street years ago, was a project that benefited the businesses and increased property values vs. streetscape that benefits an entire area, such as Columbia Avenue. State law has to be followed. The process is very involved and detailed.
- ◆ Alderman Skinner commented that each sewer project was a little bit different and that the beauty of Title 24 is that it gives structure. A great idea.
- ◆ All costs that go into the project will be used for the calculation for setting up the assessment. No costs will be waived. The share of costs could vary, however.

11.* Consideration of Proposed Tennessee Department of Transportation (TDOT) Contract No. 110369, PIN 106269.04/116326.00 (COF Contract No. 2012-0070) for Roadway Improvements Along Goose Creek Bypass (SR 248), Berry Farms Crossing and Five Mile Crossing

David Parker, City Engineer/CIP Executive

Dan Allen, Interim Assistant Director of Engineering, and Mr. Parker addressed this item. A color-coded map was used to explain the costs and responsible entities (TDOT, Developer, City) for these roadway improvements. This is an opportunity to work with TDOT to get this entire infrastructure done at the same time.

- ◆ TDOT will construct and pay for the modifications to the Goose Creek Interchange.
- ◆ The Interchange Bridge will be eight lanes transitioning to a four-lane median-divided road that leaves a 1,300 ft. gap of two-lane road to Lewisburg Pike. Because of concern about the gap, TDOT approached the City to consider the proposed Contract for roadway improvements along Goose Creek Bypass, Berry Farms Crossing and Five Mile Crossing. TDOT estimates the cost will be \$1,213,980.00
- ◆ The Law Department reviewed changes to the contract made by Mr. Parker and the revised contract was sent to TDOT today. The City is willing to pay for the improvements with a reimbursement style payment on the estimated cost. Should the costs be more than the estimate, TDOT would be obligated to pay the difference.
- ◆ Staff wants to move forward contingent on final language of the contract, if not drastically different than the revised contract sent to TDOT. If there are drastic changes the Contract will come back to BOMA.
- ◆ This is a timing issue for the entire improvement project. It eliminates the choke point from four-lane to two-lane roadway.
- ◆ Significant road impact fees will be generated from this development.

12.* Consideration of ORDINANCE 2012-47, An Ordinance to Establish Traffic Control at the Intersection of McEwen Drive and Oxford Glen Drive

David Parker, City Engineer/CIP Executive

Paul Holzen, Engineering Director

Options for the intersection were presented:

1. No Change (leave two-way stop control in place)
 - a. With Police Officer Control during Morning Peak
 - b. Without Police Officer Control during Morning Peak
2. Signalize Intersection
 - a. Temporary Traffic Signal – Wood Poles
 - b. Temporary Traffic Signal – Signal Trailer
3. Four-Way Stop Control (original condition)

It is also important to note that the McEwen Drive Temporary Connector Project is in the midst of design and right-of-way acquisition. Staff anticipates bidding this project in fall 2012, with a

construction time of 9-12 months.

The two-way stop control has been in place a little more than a month, traffic measurement shows morning peak hour congestion with little or no congestion during afternoon peak hours. Police officers have been stationed during the morning traffic.

Staff recommends no change to the intersection configuration. Staff will continue to monitor peak hour traffic to determine the best possible solution to decrease overall delay.

Alderman Burger wanted to finish out the week with an officer present 7:00-8:30 through Friday and into next week. Additional research can be gathered during this time to determine if this does help morning traffic flow. It was thought this item should be deferred at the voting meeting to allow time to review additional reports.

13. Consideration of Allowing Rezoning and Text Amendment Ordinances Receiving Unanimous Vote at the Franklin Municipal Planning Commission (FMPC) to Proceed to First Reading at the BOMA Without Work Session Review

Vernon Gerth, ACA Community & Economic Development

Staff thought implementation of the proposed changes would save two weeks during the process and would be for non-controversial items that were unanimously approved by the FMPC. A streamlining of the process.

Following discussion it was decided that ~~text rezoning~~ amendments ~~and especially rezoning should~~ would continue to come through the Board and those items will be on the Work Session and voting meeting agendas the same meeting night.

14.* Consideration of Proposed ORDINANCE 2012-41, To Be Entitled "An Ordinance to Rezone ±14.07 Acres From General Commercial District (GC) To Residential Variety District (RX) for the Property Located Along Carothers Parkway and Northwest of East McEwen Drive

Alderman Ann Petersen, FMPC Board Representative

Catherine Powers noted the rezoning is for the Franklin Park development.

15. Consideration of Proposed RESOLUTION 2012-36, A Resolution Approving a Development Plan for Franklin Park*, Located Along Carothers Parkway, South of Nissan and North of McEwen Drive, by the City of Franklin, Tennessee *Development Name Subject to Change

Alderman Ann Petersen, FMPC Board Representative

The Development Plan for Franklin Park will include residential and later commercial and office. An amphitheater will be part of the park.

Alderman Petersen noted the issue of parking came up at the FMPC meeting and she wants to hear that when it comes up with BOMA to assure they are relying on the latest edition of the parking manual.

Ms. Powers related they had requested approximately two parking spaces per unit; however, that does not meet standards. Planning voted to recommend modification of standards.

16.* Consideration of Proposed ORDINANCE 2012-42, To Be Entitled "An Ordinance to Rezone ±13.81 Acres From General Commercial District (GC) To Residential Variety District (RX) for the Property Located East of Carothers Parkway, Along Resource Parkway

Alderman Ann Petersen, FMPC Board Representative

Ms. Powers related this is in support of the Resource Centre Apartments.

17. **Consideration of Proposed RESOLUTION 2012-37, A Resolution Approving a Development Plan for Resource Centre Apartments, Located Along Carothers Parkway, Both North and South of Resource Parkway, by the City of Franklin, Tennessee**

Alderman Ann Petersen, FMPC Board Representative

Ms. Powers noted the development plan allows apartments in the Resource Centre.

- 18.* **Consideration of Proposed ORDINANCE 2012-46, To Be Entitled: "An Ordinance to Amend Various Chapters and Sections of The City of Franklin Zoning Ordinance to Clarify Requirements and Correct Minor Textual Errors"**

Alderman Ann Petersen, FMPC Board Representative

Ms. Powers noted these ordinances are done frequently for clarification of items in the Zoning Ordinance.

19. **Consideration of Proposed ORDINANCE 2012-38, To Be Entitled: "An Ordinance to Amend Chapter 3, Section 3.2 and Chapter 8, Section 8.3 of the City of Franklin Zoning Ordinance to Revise Requirements and Definitions Related to Hotels**

Alderman Ann Petersen, FMPC Board Representative

Ms. Powers explained this amendment eliminates extended stay suites and incorporates them into full service hotels; also allows boutique hotels in Franklin.

20. **Consideration of Bid Award to Sutphen Corporation of Dublin, OH in the Total Amount of \$745,224,84 (if a Deposit of \$188,073.25 is Paid Within 45 Days of Contract Execution) for One (1) Custom-Built, Quintuple-Function Fire Apparatus for The Fire Department (Purchasing Office Procurement Solicitation No. 2013-001; \$680,000.00 Budgeted in Facilities Tax Fund, Line Item No. 130-89520-42200, for Fiscal Year 2013; Contract No. 2012-0127)**

Rocky Garzarek, Fire Chief

Budgeted \$750,000 over two fiscal years; layout of payment plan is different making a budget amendment necessary.

ADJOURN

Work Session adjourned @ 6:46 p.m.

Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 8/31/2012 11:29 AM