
**MINUTES OF THE WORK SESSION
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, AUGUST 28, 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	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	P
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		Paul Holzen, Engineering Director	P
Shauna Billingsley, City Attorney	P	Catherine Powers, Planning/Sustainability Director	P
Rocky Garzarek, Fire Chief		Joe York, Streets Director	P
David Rahinsky, Police Chief	P	Brad Wilson, Facilities Project Manager	
Fred Banner, MIT Director		Milissa Reierson, Communications Manager	P
Chris Bridgewater, BNS 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 Work Session to order at 5:00 p.m.

2. Citizen Comments

None

WORK SESSION DISCUSSION ITEMS

* Alderman McLendon was not present

3. Blue Bag Campaign Video Presentation

Milissa Reierson, Communications Manager

The new campaign, featuring Alderman Pearl Bransford and Alderman Dana McLendon, is titled "Get in the Habit". Those working on the campaign with Ms. Reierson were, Becky Caldwell, Solid Waste Director, Andrew Orr, Sustainability/Grant Coordinator, and Cecelia Melo Romie.

Recycling is at 50% and the goal is 100%. The Blue Christmas campaign increased participation to 61%. There are 20 posters out in the community in places where blue bags are sold; among those are Kroger, Publix, Lowes, True Value and Sam's Club. There is a Spanish version as well.

The Williamson Herald and the Tennessean will display the ads in their newspapers as well.

4.* **Consideration of Event Permit Application for Franklin Cowboys Homecoming Parade on September 28, 2012 at 6:00 p.m.**

David Rahinsky, Police Chief

The date of the event is firm, but the route has not been finalized due to water and sewer projects on Main Street.

Christie Hancock and son, representing Franklin Cowboys, were present. Following a short discussion about the route, it was determined both the applicant and City needed to confirm the correct route. The item will be deferred to the September 11 BOMA meeting.

* Alderman McLendon rejoined the meeting

5. **Consideration of Event Permit Application for Westhaven Race 4 the Cure on September 15, 2012**

David Rahinsky, Police Chief

No questions or comments

6. **Consideration of Event Permit Application for Franklin High Homecoming Parade on October 5, 2012 at 10:30 a.m. in Downtown Franklin**

David Rahinsky, Police Chief

No questions or comments

7.* **Consideration of RESOLUTION 2012-44, A Resolution of the Board of Mayor and Aldermen for Utilization and Replacement of Funds from Certain Reserve Accounts (Reserve Policy)**

Russ Truell, ACA Finance & Administration

The Budget & Finance Committee addressed this policy that gives direction on how to proceed should a disaster occur and a draw on reserves is necessary. Government Accounting Standards Board (GASB) standards were used.

Russ Truell explained the addition guides staff on what to do should there be a bad year for health or property insurance. It states: "4. In the case of reserves for insurance, an amount not greater than half of the reserves shall be used in any one fiscal year."

8.* **Consideration of Agreement with EnerNOC, Inc. for Wastewater Plant Energy Savings**

Mark Hilty, Water Management Director

Mr. Stuckey said this is an opportunity to get in a program sponsored by the TVA to capture savings during certain peak times. He added that this is part of the Water Management team's efforts for cost-savings measures at the wastewater plant.

Mark Hilty explained this is a way to reduce demand without additional spending and save on electric consumption when high temperatures place huge demands on the electric grid. TVA will pay the City if the City saves up to a certain amount of energy. The Law Department is currently reviewing the Agreement and if approved should be contingent on approval by the City Attorney, City Administrator, and the Water Management Director.

The City could possibly save around \$16,000 per year. The parameters will not create a hardship and there will not be a penalty if parameters aren't met. The Agreement stated that curtailment is limited to six times per calendar month and may last between two and eight hours or less per event. Mr. Hilty believes it should read six times per calendar year and will confirm.

- 9.* **Consideration of Instrument of Accession to Subscription Agreement with Westwood Global
Russ Truell, ACA Finance & Administration**
The Employee Pension Committee sees this as an opportunity to put additional funds in one investment category.
- 10.* **Consideration of RESOLUTION 2012-43, A Resolution Authorizing the Issuance of General Obligation Refunding Bonds in the Aggregate Principal Amount of Not to Exceed Twenty-Three Million Dollars (\$23,000,000) of The City of Franklin, Tennessee; Making Provision for the Issuance, Sale and Payment of Said Bonds; Establishing the Terms Thereof and the Disposition of Proceeds Therefrom; Providing for the Levy of Taxes for the Payment of Principal of, Premium, if Any, and Interest on Bonds**
Russ Truell, ACA Finance & Administration
These variable rate bonds were purchased in 2009 and have been locked in at a negotiated fixed rate of 2.13% with payoff shortened from 17-1/2 years to 15 years. The required letter of acknowledgement from the State Comptroller is posted on the City website.
- 11.* **Consideration of Amendment No. 1 to the Gas Pipeline Relocation Agreement (McEwen Drive Phase III) Agreement with ATMOS Energy Corporation for the McEwen Drive Temporary Connector Project (COF Contract No. 2012-0136)**
Paul Holzen, Engineering Director
As part of the McEwen Phase III project the City entered into an agreement with ATMOS Energy Corporation allowing for relocation of ATMOS utilities. The estimated cost of the relocation was \$1,071,917.13 with the final bill being \$649,950.98, resulting in a savings of \$421,966.15. The budgeted amount was approximately \$50,000. The estimated cost for relocation is \$608,970. This would require BOMA to obligate an estimated additional \$137,003.85 to the project. To keep the project on schedule these utilities will need to be lowered prior to November 2012. ATMOS is willing to start without the finalized agreement. If this is approved it should be contingent on approval by the City Attorney, City Administrator and City Engineer.
- 12.* **Consideration of ORDINANCE 2012-47, An Ordinance to Establish Traffic Control at the Intersection of McEwen Drive and Oxford Glen Drive**
Paul Holzen, Engineering Director
The change in traffic pattern was discussed at the last meeting. A policeman has been in place for an hour or hour and one half during peak times in the morning and this has work fairly well overall. The evening traffic does not appear to be a problem. This is an interim fix until the road is completed in about a year.

Alderman Burger said everybody noticed the improvement. She sent out an e-mail survey and the residents would like to have the policeman stationed from 7:00-8:45 a.m. They thanked everyone for working so hard on this. Wait times are down from 25 minutes to 5 minutes in the mornings.

It was decided to have this item withdrawn from the voting meeting agenda since the problem appears to be solved.
- 13.* **Consideration of Bid Award to Viking Products, Inc. in the Amount of \$78,026.16 for the Buckingham Park/Ralston Creek Stream Restoration Project (COF Contract Number 2012-0074)**
Paul Holzen, Engineering Director

This is funded through the Stormwater Fund and relates to damage from the 2010 flood. Banks will be restored and landscaping put in before winter.

- 14.* **Consideration of Amendment No. 2 to the Professional Services Agreement with Civil and Environmental Consultants, Inc. (CEC) (COF Contract No. 2011-0025) for the Buckingham Park/Ralston Creek Stream Restoration Projects for Construction Administration and Inspection Services**

Paul Holzen, Engineering Director

The \$13,000 is on an as-needed basis and is enough to oversee the bidding process and the final inspection.

- 15.* **Consideration of Utility Easement Acquisition Agreement (COF Contract No. 2012-0134) with Milcrofton Utility District for SR 252 (Wilson Pike) and McEwen Drive Intersection Improvements Project**

Paul Holzen, Engineering Director

Milcrofton water line is in state right-of-way and the City hadn't anticipated being responsible for the cost. This agreement allows Milcrofton to handle the acquisition for all necessary easements associated with their waterline. Estimated cost to acquire the easements is \$44,000. Approval of the Agreement is subject to sign-off by the City Engineer, City Attorney, and City Administrator.

- 16.* **Consideration of Amendment No. 1 to TDOT Contract No. 060059; PIN 107520.00; (COF Contract No. 2012-0133) for the McEwen Drive Phase III Project**

Paul Holzen, Engineering Director

Adjusting the date per TDOT request. No costs involved.

17. **Consideration of ORDINANCE 2012-33, An Ordinance to Amend Title 1, Chapter 5 of The Franklin Municipal Code Concerning Emergency Management**

Rodney Escobar, Risk Manager

Rodney Escobar gave a presentation on the plan at the last meeting. City personnel developed the Franklin Emergency Management Operational Plan (FEMOP), which 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. The REMOP appoints the City Administrator as the Director of Emergency Management and will allow the City Administrator the ability to delegate this role to specific personnel depending on the circumstance of the emergency disaster. It also spells out what is to be done if the Mayor and Vice Mayor are not available.

A tabletop exercise was done last week with the emergency being a violent tornado.

The entity to channel charitable donations is not addressed in this part of the plan. As requested last meeting, the United Way will be explored as that entity.

This Ordinance is the adoption of the Emergency Plan.

18. **Review of Proposals for Five Points**

Eric Stuckey, City Administrator

A few months ago the Board was asked for direction on how the City could update and utilize the Five Points property. Significant upgrades are needed. After meetings, visits and reviews, RFPs

were issued. Just one proposal was received and that was from First Bank. Staff asked for authority to negotiate and bring the issue back to the Board for discussion.

Discussion:

- ♦ Requirement included continuing with existing lessees, the Post Office and the Heritage Foundation. They would sublet from First Bank. The spaces may be reconfigured; however, more space in the building can be utilized.
- ♦ Good way to get the City out of maintenance and management of the building.
- ♦ Alderman Burger noted the proposal states rent would not be raised for 20 years and suggested the City look at 10 years since First Bank would be investing \$3.5 million in renovations and maintaining the property.
- ♦ Alderman Skinner asked if there was input from the current leaseholders to which Mr. Stuckey responded that they are involved in the process. The City wants to provide a way for them to remain in the building.
- ♦ Alderman McLendon pointed out there is only one entity interested in the building. Letting the bank renovate, use, maintain, and keep the current tenants is good use of the building. It is important to the community to have it utilized.
- ♦ Alderman Skinner reported that a number of citizens called him to object because the building is part of the history of Franklin and to lease it for a commercial endeavor would cheapen it.
- ♦ Mr. Stuckey said this landmark building would not be sold.
- ♦ Alderman Petersen asked how much the space is worth and thought the yearly rental fee relatively small.
- ♦ Mr. Stuckey said the investment, ongoing maintenance, etc. can be factored in with negotiation.
- ♦ Russ Truell noted the lease would be for the entire property; however, the Bank thought it would not be economical to improve the basement for several reasons, one being ceiling height. The City is using the basement as storage.
- ♦ Alderman Martin stated Five Points is the western cornerstone of Main Street and private business isn't needed there. Many people have worked to make Franklin what it is. With the uncertainty of the banking industry, a bank shouldn't be in the gateway. She said the offer is an insult. Another building in a state of deterioration received gifts and grants for renovation. There could be a visitor's center and restrooms there or a park rather than a commercial endeavor.
- ♦ Alderman Barnhill said the City needs to pursue whether this should be done, but with a negotiated proposal.
- ♦ Alderman Blanton was in favor of pursuing the proposal and thought it good that the Post Office could remain.
- ♦ Alderman McLendon said he didn't understand the antipathy to private enterprise. The City put pretty stuff on Columbia Avenue to get private investment. Now someone wants to invest \$3.5 million. Why is a bank on Main Street a bad plan? The City has an obligation to protect the building. It is not a bad thing for Main Street.
- ♦ Alderman Bransford thought it a major improvement. Having someone improving and maintaining the building while the City still owns it was a plus for her.
- ♦ Nancy Williams, Heritage Foundation, said they don't think their offices will fit in there anymore. They are not concerned for themselves; they are more concerned for the Post Office. The Heritage Foundation can move to new quarters. The Post Office cannot.
- ♦ Alderman McLendon commented that the Post Office is a private contractor; no one can

make them stay in that building if they should choose to move.

Eric Stuckey said staff would negotiate with First Bank and bring a proposal back to BOMA.

ADJOURN

Alderman Burger moved to enter Executive Session. Seconded by Alderman Barnhill. Motion carried unanimously.

Work Session adjourned to Executive Session @ 6:13 p.m.

Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 9/12/2012 12:56 PM