
**MINUTES OF THE WORK SESSION
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, OCTOBER 23, 2012 – 5:00 P.M.**

Board Members

Mayor Ken Moore	P		
Alderman Clyde Barnhill	P	Alderman Margaret Martin	P
Alderman Brandy Blanton	A	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	
David Parker, CIP Executive/City Engineer	P	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		Brad Wilson, Facilities Project Manager	P
Fred Banner, MIT Director	P	Lanaii Benne, Assistant City Recorder	P
Chris Bridgewater, BNS Director	P	Linda Fulwider, Board Recording Secretary	P
Becky Caldwell, Solid Waste Director	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

3. Blue Bag Program Update

Becky Caldwell, Solid Waste Director

Becky Caldwell gave an update on the first two years of Blue Bag Program:

- Year One Goal: 15% Participation 15% Diversion
- Year One Actual: 40% Participation 12% Diversion
- Year Two Goal: 40% Participation 15% Diversion
- Year Two Actual: 48% Participation 15% Diversion

Going into Year Three of Three-Year Trial Period:

- Goal: 50% Participation 18% Diversion

A billboard depicting the new campaign is at the corner of Downs Boulevard and Columbia Avenue.

Ms. Caldwell provided statistics and comments from a recent survey. Comments: some people want curbside glass recycling, business recycling, containers instead of blue bags, and recycling at multifamily residences.

Questions to Consider:

- Should the City continue to offer blue bag recycling?

- Should the City add the option for business recycling?
- Does the City want to add curbside glass recycling to the existing package of service?
- Does the City want to accept recyclables in small totes or blue bags?

There was discussion regarding the use of totes. The customer would be required to purchase a tote if that option were chosen instead of blue bags. The totes were described as being small, hard plastic containers approximately 14"-18". Eric Stuckey commented those can be a problem on a windy day and there are fixed costs associated with that option. Alderman Burger pointed out the totes fill with water when it rains, and small animals get into them as well. The containers with lids are a bit more expensive. Feedback received on blue bags – they are easy to use, and are light weight. Rollout carts for recycling aren't as practical because of the hassle with rolling out two carts; some of the older residents would be hindered by this.

Ms. Caldwell and Mr. Stuckey will be visiting Cumberland County to see their glass recycling program. There are options for collecting glass. Alderman Skinner asked if diversion by weight for glass offered a better payoff. Mr. Stuckey noted that glass is not as marketable. The County will accept glass at convenience centers if separated. Glass must be separated from other recyclables because glass contaminates.

Alderman Petersen asked about leaf pickup. She was informed pickup has started and will end in January. The schedule for pickup is by neighborhood area so that every neighborhood gets leaf pickup each week. The schedule is posted on the City website.

3b. Mayor Moore announced that it was Alderman Pearl Bransford's 29th birthday 😊

4. **Consideration of Event Permit for Dickens of a Christmas (Sponsored by Heritage Foundation/Downtown Franklin Association) in Downtown Franklin on December 8-9, 2012**

David Rahinsky, Police Chief

No questions or comments

5. **Consideration of Event Permit for Christmas Parade Sponsored by Kiwanis Club on December 1, 2012**

David Rahinsky, Police Chief

No questions or comments

6.* **Consideration of Liquor License Retailer's Certificate (Relocation) for Harpeth Liquors, 503 Alexander Plaza, Franklin, Tennessee 37064 (Satish Patel)**

Lanaii Y. Benne, Assistant City Recorder

No questions or comments

7.* **Consideration of Agreement Between the City of Franklin, Tennessee, and Stream Valley Franklin Partners, LLC Relative to Phasing of the Stream Valley Development; (COF Contract No. 2012-0143)**

Shauna Billingsley, City Attorney

The revised Agreement was distributed. Mayor Moore recognized one citizen who wished to speak to this issue.

Eric Stuckey highlighted some of the elements of the Agreement:

- 5. The Developer may build up to 280 homes and certificates of occupancy shall be issued therefor prior to a performance surety being posted for the Second Connection in the amount of \$1,200,000.00. This fee is based on current surety rates established by the City, and in the event the rates are changed, the performance surety amount shall be adjusted to the surety rates in effect at the time the 280 home limit is reached.
- 7. Any plat for lots in excess of 280 lots shall provide that the performance surety for the Second Connection be posted with recording of such plat, and shall further provide that the Developer shall not be permitted building permits beyond 280 units until the Water Line has been installed, tested and accepted by HB&TS and the City has receipt of HB&TS certification of acceptance and the performance surety has been provided for the Second Connection or the Second Connection has been built and accepted by the City.

- 8. The Developer shall design, procure, and install a traffic signal per City standards at the Stream Valley main entrance located on Lewisburg Pike. The timing of improvements for the signal shall be based on current City standards as set forth in Section 9.2.1 of the City of Franklin, TN, Transportation & Street Technical Standards, 2011 Edition, for warranting a traffic signal. The developer agrees to provide an updated traffic study conducted by a traffic engineer approved by the City upon submittal of a plat in excess of 280 units in the development. From that point forward, the Developer shall provide updated warrant analysis at the aforementioned intersection at the 50%, 75%, and 100% build-out of the development. The Developer shall post a surety in the amount of \$30,000 at the 280 unit cap to cover design fees for the traffic signal, and if no traffic signal is warranted with the development, this surety shall be released as a result of the 100% build-out analysis. If the updated warrant analysis studies require installation of a traffic signal, the Developer shall be required to post a surety with the plat per standard City procedures for an amount that shall be set at the time the traffic signal is warranted. The traffic signal shall be designed, installed, and accepted by the City within one (1) year of the filing of said plat.

Mary Ruth Castelli, Secretary-Treasurer of the Goose Creek Homeowners Association, 601 Cattail Lane, Franklin, read a letter from Michele Barnes, President of the HOA, and the letter was submitted for the record. The letter was in support of the revised Agreement and to express: "It is also the intent of the Goose Creek Homeowners Association to express the concerns of it **sixty eight property owners** that any new access road not be construction along the existing right of ways owned by Stream Valley Franklin, LLC and that Stream Valley Franklin, LLC pursue alternate access routes not directly impacting our properties." Ms. Castelli said the homeowners met with Vernon Gerth and participated in a conference call with Mr. Ring of Spring Valley. They support the resolution to extend the time and increase the number of units. She added that they hope they can work together and be kept in the loop. It was noted the Goose Creek subdivision is located in the County and Stream Valley is within the City.

Alderman Skinner again voiced concern that 400 houses would be too many to serve with one access. He said it is not always a question of the number of cars traveling the road; it is the safety of the intersection.

Discussion ensued on timeframes, road impact fees, and a different location for the second access. Tyler Ring of Stream Valley came forward and discussed and/or answered some of the questions.

8.* Consideration of Bid Award (COF Contract 2012-0151) to The Parkes Companies, Inc., for the McEwen Drive Temporary Connector Project in An Amount Not to Exceed \$1,982,491.61

Paul Holzen, Engineering Director

Eric Stuckey noted this is an approved CIP project. Paul Holzen related the bids were opened on October 15th. Staff recommends approval of this bid award.

9.* Consideration of Bid Award (COF 2012-0145) to Brown Builders for the SR 252 (Wilson Pike) and McEwen Drive Intersection Improvements Project in an Amount Not to Exceed \$1,991,572.82

Paul Holzen, Engineering Director

Mr. Stuckey said this is also on the approved CIP project list and is part of an agreement with Williamson County Schools for road improvements. The construction time at bid was set for January 2013.

10.* Consideration of a Professional Services Agreement, COF Contract No. 2012-0169, with Gresham Smith and Partners (GS&P) for the Construction Administration, Engineering, and Inspection (CEI) Services for the Hillsboro Road Improvements Project, SR 96W to Independence Square in an Amount Not to Exceed \$822,902

Paul Holzen, Engineering Director

A motion will be made at the BOMA meeting to defer this item to the November 13, 2012 meeting.

11.* Consideration of Amendment No. 2 (COF 2012-0097) with Kimley-Horn and Associates in an Amount Not to Exceed \$52,500 for the Carothers and McEwen Corridor Traffic Impact Study

Paul Holzen, Engineering Director

Mr. Stuckey noted this is follow up from last meeting when the Board asked for additional options for widening. The study is broken into four tasks and they will produce specific geometric layouts.

Discussion ensued on timeframe to get this back to the Board, buildings being built up to the streets, and conversations with developers.

Paul Holzen said it is expected this will come back to staff in December and go to the Board in January. Eric Stuckey related they have been sharing information with developers and have had open conversations about where this is going. The infrastructure is in everyone's best interest and is a fluid process to be factored in their planning as well.

Aldermen Petersen and Burger thought there could be a downside to having everything built to the street.

12.* Consideration of Annual Agreement with USGS for Harpeth River Gauging Stations Operation and Maintenance in an Amount of \$14,460 (COF Contract No. 2012-0173)

David Parker, City Engineer/CIP Executive

Eric Stuckey noted this is a continuation of what has been done for several years.

13.* Consideration of ORDINANCE 2012-57, An Ordinance to Amend Water and Sewer Rates for 2013 and 2014

Mark Hilty, Water Management Director

It was noted that Jim Marshall of Jackson Thornton was present to answer questions the Board may have.

Staff recommends approval of Ordinance 2012-57 amending the water and sanitary sewer rates using Option 3, the "hybrid" approach. This option allocates the planned rate increase equally to the availability charge and the consumption charge.

Eric Stuckey said the hybrid option in the rate plan is consistent with 4% water and a 7% sewer increases January 1, 2013 and January 1, 2014. This was written to complete the 5-Year Plan, although the rates will be reviewed every year.

Water Increase Residential Inside	Current	Proposed	Difference	Cost of Service
Availability Charge (1,000 Gallons)	\$ 10.42	\$ 11.24	\$ 0.82	\$ 13.70
Next 9,000 Gallons	\$ 3.72	\$ 3.87	\$ 0.15	\$ 4.52
Next 15,000 Gallons	\$ 4.65	\$ 4.80	\$ 0.15	
All Additional	\$ 5.58	\$ 5.73	\$ 0.15	

Wastewater Increase Residential In	Current	Proposed	Difference	Cost of Service
Availability Charge (1,000 Gallons)	\$ 14.55	\$ 15.55	\$ 1.00	\$ 27.82
Next 14,000 Gallons	\$ 3.61	\$ 3.88	\$ 0.27	\$ 3.05
All Additional	\$ 2.82	\$ 3.09	\$ 0.27	

They looked at other utilities in the region and the City of Franklin was on the lower end of water rates and the second lowest on sewer rates; 24% below the average.

The first reading of the Ordinance is tonight with the second reading and public hearing November 27, and third and final reading December 11, 2012.

Alderman Petersen expressed her thanks that the information for debt service was for approved projects only.

14. Consideration of ORDINANCE 2012-05, An Ordinance to Establish Section 2.4.11 and Amend Section 5.6.4 of the Franklin Zoning Ordinance, which Establishes Requirements for Fences and Walls

Alderman Ann Petersen, FMPC Representative

Eric Stuckey related this item is back for discussion. The specific issues they are trying to address are type of

materials and type of fence clarifications, and obtaining a fence permit to avoid conflict when fences haven't been built correctly.

Chris Bridgewater said it increases options available, wrought iron front yard fences, opaque fences and appropriateness. The most equitable way to manage this is through a system of permitting. Agriculture fences are excluded. It had been mentioned to require permits for front yard fences only, eliminate fence permits entirely, and/or educate the public on the regulations that exist.

Livestock fencing will not be regulated and perhaps that is better identification than agriculture fences, or agricultural uses/livestock fences. Alderman Skinner thought the \$35 permit fee was reasonable.

Eric Stuckey said if the Board wants to make changes to this; it has to go through the Planning Commission. Shauna Billingsley suggested the Board may want to take this ordinance all the way through the process then send it back in final form. Alderman Barnhill suggested sending it to Planning first so the Board would know what must be done.

15. Consideration of RESOLUTION 2012-53, A Resolution Establishing Non-Residential Building Plan Review Alternatives and Performance Standards by the City of Franklin, Tennessee

Chris Bridgewater, Building & Neighborhood Services Director

This resolution offers plan review process alternatives that will gain efficiencies in the BNS and Fire Departments. It should improve the process for customers.

Non-residential Plan Review Alternatives:

1) Standard Plan Review Alternative

The Standard Review alternative is performed by the City's technical staff and based on non-residential building permit applications reviewed on a first-in/first-out priority with each application reviewed for code compliance and processed as quickly and thoroughly as possible. In support of the adopted Policy, the City Administrator has established a performance standard for non-residential plan review through the Building and Neighborhood Services Department of a maximum twenty (20) working days for the initial submittal and a maximum of ten (10) working days for subsequent re-submittals of the initial plan. Plans that are incompletely reviewed within the established maximum timelines will be stamped "Released for Construction" and returned to the applicant as submitted. The plans released will be deemed not to represent a code compliant installation, and the project will be inspected as constructed to determine compliance with adopted construction codes.

Plan review fees, as specified in Title 22-Comprehensive Fees and Penalties, shall be paid at time of submittal. This fee shall cover the initial submittal and one (1) re-submittal. Approved construction plans will be valid for one (1) year from the date of approval unless an exceptional circumstance, as determined by the Building and Neighborhood Services Department Director, exists and authorizes an extension. The City Administrator and department leadership will review these performance standards regularly and seek to maintain responsive service consistent with Board Policy and direction.

2) On-Request Plan Review Alternative

The On-Request Plan Review alternative is available for initial non-residential building permit reviews only and based on the City's Technical Staff availability to work overtime. Requests for the On-Request Plan Review shall be made to the Building Official or their designee. Based upon the City's Technical Staff availability, the applicant shall be provided with an estimated review completion date and additional cost.

The applicant shall pay the Plan Review Fees as specified in Title 22-Comprehensive Fees and Penalties in addition to the staff incurred overtime based on the average overtime rate of the City's Technical Staff computed on the basis of one and one-half times the regular rate of pay as determined by the City's Finance Department.

Approved construction plans will be valid for one (1) year from the date of approval unless an exception circumstance, as determined by the Building and Neighborhood Services Department Director, exists and authorizes an extension.

3) Consultant Plan Review Alternative and Mandatory Building Size

New non-residential buildings and structures totaling ten thousand (10,000) square feet or more shall be reviewed by a third party consultant. The applicant shall select a consultant from a City-approved list of professional building plan review consultants as obtained through an advertised Request for Qualifications. After the initial consultant qualifications have been established and consultants selected, additional consultants may be added to the City-approved list upon application to the Building Official and provided their minimum qualifications and supporting documentation has been approved by the

Building Official.

Building Permit applicants shall be responsible for paying all consultant incurred fees directly to the consultant in addition to Zoning Review and Permit Processing fees as specified in Title 22-Comprehensive Fees and Penalties to the Building and Neighborhood Services Department. Upon receipt of a consultant-approved set of plans and compliance with other applicable development conditions and regulations, the reviewed plans shall be reviewed by Building and Neighborhood Services staff for building code compliance. The performance standard established by the City Administrator for the Building and Neighborhood Services Department to process the building permit shall strive to be a maximum of five (5) working days.

Nothing shall prohibit an applicant or Building Official from selecting a City-approved plan review consultant to review commercial building permit applications for building and structures less than ten thousand (10,000) square feet in size with the cost associated with the review the responsibility of the applicant.

Approved construction plans will be valid for one (1) year from the date of approval unless an exceptional circumstance, as determined by the Building and Neighborhood Services Department Director, exists and authorizes an extension.

Mr. Bridgewater noted that the current goal for review is 20 working days for the first review or release for construction, and the department has met that goal for years.

The 20 working days and 20 working days or release for construction, and consultant services sparked lengthy discussion and concerns were voiced by aldermen.

Eric Stuckey said this is about a customer service commitment and performance standard to meet. Vernon Gerth added that many cities provide the consultant services and the City of Franklin develops standards that exceed the minimum building codes.

Aldermen Burger and Barnhill commended staff for stepping up performance standards.

16. Discussion regarding Memorandum of Understanding (MOU) with Williamson County for Access of Fiber Optic Network (COF Contract 2012-0149)

Fred Banner MIT Director

Fred Banner explained the City will provide the County with two connections on City fiber, one to the courthouse and one to police and judicial center. There is a user fee for these services.

17. Consideration of Sole-Source Purchase from RouteSmart Technologies, Inc. of Columbia, MD in the Total Amount of \$61,550.00 for RouteSmart Vehicle Routing Software Package for the Collection Division of the Solid Waste Department (\$60,000.00 Budgeted in 124-89550-46110 for Fiscal Year 2013; Contract No. 2012-0150)

Becky Caldwell, Solid Waste Director

Sole-Source vendor chosen because the software can communicate with the City's existing programs. This package can be used by other departments as well. Annual renewal fee for upgrades and maintenance will be \$6,000.

ADJOURN

Work Session adjourned @ 6:37 pm

Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 11/14/2012 3:40 PM