
**MINUTES OF THE WORK SESSION
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, JANUARY 8, 2013 - 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, Vice Mayor	P
Alderman Pearl Bransford	P	Alderman Ann Petersen	P
Alderman Beverly Burger	P	Alderman Michael Skinner	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	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	P	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			

1. Call to Order

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

2. Citizen Comments

None

- ✦ Eric Stuckey introduced interns Rachel Massoud, a Sophomore at DePauw University in Greencastle, Indiana, and Brooke Young, a Senior at Samford University in Birmingham, Alabama. Through the month of January they will be working on projects and learning how the City functions.

WORK SESSION DISCUSSION ITEMS

3. Discussion Regarding School Safety Issues

Eric Stuckey, City Administrator

Eric Stuckey and Police Chief David Rahinsky updated the Board on what law enforcement and school officials in Williamson County are discussing as preventative measures in light of the Sandy Hook Elementary School shootings in Newtown, Connecticut. The Franklin Special School District is included as well.

Currently, the security plan has uniformed patrols of City officers at schools during morning drop off and afternoon pick up. In addition, bicycle and Segway patrols have a presence during the school day.

An expert in target hardening and safety assessment will be reviewing WCS and FSSD schools. Franklin's shoot house is the site of active shooter training for the entities involved. Floor plans of all schools are being secured and alarm systems that directly alert dispatch is being discussed.

Vice Mayor McLendon asked Chief Rahinsky several questions regarding incident response time (about 4 minutes); who responds first (trained shooter team); officers trained to use rifles, carbines, and shotguns (quarterly certification for those who carry weapons); number of officers carrying carbines (4 officers per shift, plus SWAT team assigned to each shift); how much outside training (thus far, no specific funds allotted although there is a training budget with some flexibility). The annual tabletop exercise will be on school security this year. They train using different scenarios at the shoot house as well.

The Public Safety Work Group is discussing ways to partner with the state and elsewhere. A County-wide radio system is another discussion point. The group will meet again on January 15.

Alderman Burger asked if in future the plans would include larger public places and business buildings. She also mentioned gun-free zones as targets. Chief Rahinsky answered that the SWAT team had been to some of the bigger places in Cool Springs. They will next look at theaters.

4. Presentation by Sister Cities for Opportunities of a Sister City with Bad Soden, Germany

Dr. Ken Moore, Mayor

Patricia Kriebel, Chair Sister Cities Committee

Patricia Kriebel gave an overview of the November trip to Bad Soden, Germany regarding the possibility of Bad Soden becoming a sister city. Mrs. Kriebel mentioned that in one census, the largest ethnic population in Williamson County was German.

They were hosted by Bad Soden Mayor Norbert Altenkamp, and an organization that closely resembles Sister Cities. Bad Soden lies 20 minutes outside Frankfurt, Germany. Their relationship to Frankfurt is much like Franklin's relationship to Nashville. She described Bad Soden as being walkable, picturesque, appreciative of history and sustainability with a wonderful park system, vibrant shopping area, and a strong economic base similar economy to Franklin. It has natural springs (medicinal) and spas.

The Albert Einstein School is interested in an exchange program with Franklin/Williamson County schools. They would like to send several students to Franklin this spring.

Highlights of the visit:

- ◆ A walking tour of the city capped off by the lighting of the city Christmas tree which was done two days early in their honor.
- ◆ Because of Mayor Moore's medical background they visited a hospital and were given a glimpse of Germany's healthcare system.
- ◆ Bad Soden is the international headquarters of the Messer Group, an industrial gas company.
- ◆ Visit to Frankfurt and the Deutsche Bank and a reception at the home of bank's vice president
- ◆ They met a man from Berlin who has been to Franklin. He plans to return for a sabbatical.

Mayor Moore extended an invitation for Mayor Altenkamp and a delegation to visit Franklin, and they

will do so this summer. Mrs. Kriebel believes there is a good foundation for Bad Soden, Germany to become a Sister City.

5. Consideration of Event Permit Application for Eat the Street to be Held in Downtown Franklin on May 10, 2013

David Rahinsky, Police Chief

There was some concern expressed about closing Main Street on a Friday afternoon. Other comments were that the Downtown merchants could get on the bandwagon and offer specials during this event.

6. Consideration of Event Permit Application for Ride for Kids to be Held at Jim Warren Park on May 19, 2013

Lisa Clayton, Parks Director

No questions or comments

7.* Consideration of Withdrawing the Proposed Purchase of Used Equipment; One (1) Vermeer Chipper Model 1500 from Vermeer in the Total Amount of \$28,000 for the Parks Department

Lisa Clayton, Parks Director

(Items 7 and 8 taken together)

8.* Consideration of Recommendation to Purchase From Vermeer Heartland of Tennessee, LLC of Murfreesboro, TN in the Total Amount of \$67,192.00, One (1) New 19" Capacity Drum style Trailer-Mounted Brush Chipper for the Parks Department

Lisa Clayton, Parks Director

The city-owned chipper that is about 20 years old died. The used chipper first considered for purchase had no warranty. Lisa Clayton and Todd Snackenber, City Arborist, are looking for a chipper for the long-term. Rental equipment was used to complete 35 work orders, and that is not cost effective.

Eric Stuckey related staff is looking at expanding the lease purchase with U.S. Bank. For the long term needs of the community it is better to purchase the new equipment that has a warranty.

9.* Consideration of RESOLUTION 2012-71, A Resolution Declaring the Intent of the City of Franklin to Act as a Governmental Pass-Through Entity for the Neel Tract Land Acquisition Project as Requested by the Civil War Preservation Trust

**Alderman Michael Skinner,
Battlefield Preservation Commission Representative**

No questions or comments

10.* Consideration of ORDINANCE 2012-39, An Ordinance to Rezone ±0.96 Acres From Low Residential District (R-1) to High Residential District (R-3) for the Property Located at 711 Hillsboro Road. (06/28/2012 FMPC 6-1 recommendation to Disapprove; 07/24/2012 BOMA 5-2, Public Hearing Held 08/28/2012, Second Reading Deferred unanimously at 08/28/2012 BOMA to 01/08/2013 BOMA)

Alderman Ann Petersen, FMPC Board Representative

Applicant requests deferral to January 22, 2013

11.* Consideration of RESOLUTION 2012-66, A Resolution Declaring Certain Right-of-Way on Jordan Road as Surplus

David Parker, City Engineer/CIP Executive

Aspen Grove Office Partners LLC asked to buy a small piece of property owned by the City and currently functioning as right-of-way for Jordan Road. They want to put a building at the corner of

Jordan Road and Aspen Grove Drive. In 2005 the Aspen Grove Office Partners submitted a site plan for approval that showed a building located within the right-of-way. This site plan was approved contingent on BOMA abandoning the Jordan Road right-of-way. There was a short discussion with some concerns expressed.

12.* Consideration of RESOLUTION 2012-73, A Resolution Funding Carothers South from Falcon Creek Subdivision to Highlands at Ladd Park Subdivision

David Parker, City Engineer/CIP Executive

Eric Stuckey noted the Special Work Session on December 17, 2012 addressed which option to choose for building this road. PFM, the City's financial advisor presented the Debt Capacity Models, including the full cost of complete build-out (2-lane from Falcon Creek Subdivision to the Highlands at Ladd Park Subdivision) spread over three years, through 2016 for \$500,000 in additional debt service. He referred to the last page of the handout of the latest scenario comparison that includes fully-loaded debt service. The Net Direct Debt as a % of Market Value for Scenario 1 (Carothers Parkway Complete) shows year 2015 ratio is weak, whereas, it had not been weak when figured without fully-loaded debt service. From that meeting, by consensus, a resolution was drafted authorizing Carothers South Parkway Complete.

Alderman Petersen thought this latest scenario comparison was more "apples to apples"; however, the 2016 number of cumulative new debt service at \$2,490,576 means paying that much extra every year to debt service and to her that is a grave concern. Russ Truell said the 20 year assumption assumes the money is borrowed in increments: 2014 - 3.5%, 2015 - 4%, 2016 - 4.5%. It does add \$2+ million per year debt service to be paid off in 20 years.

Alderman Martin noted that it doesn't include any money to be received from development. Eric Stuckey responded Impact Fees are not included in any of the CIP projects. Alderman Bransford commented that as they look at road improvements they may have to look at raising taxes. Alderman Petersen said the money from Road Impact Fees will be for other things and there isn't enough to pay for things already built. Mr. Stuckey pointed out that some of the factors in the model take into account the debt retired every year. It looks at the whole of that 4-5 year window so it stays relatively stable. As a City, we are always balancing that with the needs of a growing community.

Alderman Skinner looked at this as an opportunity to get ahead of the development and do the infrastructure before the expected growth. This would do something about the traffic first.

Alderman Burger agreed. She reiterated her stand regarding the completion of McEwen, the connector and the McEwen/Wilson intersection. McEwen Phase IV must remain a priority. South Carothers Parkway must be addressed as well. According to her calculations, a total of \$31 million in fees should be realized somewhere along the line.

Alderman Barnhill said his priorities were South Carothers Parkway, McEwen connector, McEwen Phase IV, and Hillsboro Road. He opined that South Carothers will be the hottest spot in Middle Tennessee in the next 10 years with the widening of I-65 and SR 840 being opened. Need to accommodate what is coming. He thanked staff for all the work they put into this project.

Vice Mayor McLendon took exception to earlier comments that previous Boards and the FMPC approved development without infrastructure. The City has never stopped doing infrastructure projects. The Boards did what they did with the information they had at the time. For a long time the

concentration was on downtown. Getting the areas done outside downtown is overdue. It isn't that the previous Boards didn't do anything; they just put their money somewhere else. He cautioned about getting too far ahead, however. He will support the project that renders the relative benefit of people who need it in the immediate future.

13. Consideration of RESOLUTION 2012-72, A Resolution to Remove All Traffic Calming Devices on Fair Street Between Seventh Avenue and Eleventh Avenue

David Parker, City Engineer/CIP Executive

Mr. Stuckey explained this request came by way of the Capital Investment Committee. They wanted full Board discussion based on the petition submitted to the City showing 57% of the residents want the traffic calming devices removed between 7th and 11th Avenues on Fair Street. He explained there would be a five-year waiting period until any other kind of traffic calming could be done, unless the Board made an exception. There are three calming structures within the 4-block area.

Fair Street Residents:

- Sam Whitson, 804 Fair Street, commented that Fair Street is really two streets. A long stretch with no stop signs. Seven years ago residents with small children requested traffic calming from 7th to 9th Avenue where there is street parking with very few driveways. They want a compromise to keep the ones in the 800 block. (diagrams were distributed) The devices in the 1000 block aren't attached and protrude further in the street leaving 9'8" to pass through. The devices in the 800 block leave 11'6". Perhaps some of people who signed the petition didn't fully understand exactly what would be done.
- Randy Seymour, 802 Fair Street, submitted a statement in opposition to the petition. He likes the planters and believes they are a good buffer for the safety of their automobiles parked along the street. Speeding is the problem, and the devices have done nothing to slow the traffic. He thought stop signs could be an answer for lessening speeds between 9th & 11th Avenues. He requested the devices between 7th and 9th Avenues be retained and the ones between 9th and 11th Avenues either be removed or place additional planters.
- Ann Little, 916 Fair Street, spoke to visibility and inconsistency in the devices regarding vegetation. She thought the device at 10th Avenue the worst. Ms. Little has lived there 45 years and nothing has stopped the speeding. Would a three-way stop at 9th Avenue help? She is concerned about the accidents being a hazard to pedestrians, with vision impaired persons being of particular concern. The devices don't calm the traffic on Fair Street. Between 7th and 9th Avenues cars must cross over the double line to pass through with the cars parked there. She noted there had been a tremendous response to the petition.

Alderman Martin related she had heard from seven residents on Fair Street that are opposed to removing the devices.

Carl Baughman, Traffic Engineer, said the project initially installed the devices for the length of the street. If just part of the project is being considered for removal, the petition should be updated. He pointed out the traffic calming policy has been in effect for eight years with speed humps or raised crosswalks being the two Board approved methods. David Parker advised the correct term for the traffic calming devices being discussed is "chicanes". The idea is that the chicanes work together.

Vice Mayor McLendon explained stop signs are not an option because they are not to be used for speed control. He was loath to change the status with 57% in favor of removal. Some may be in favor of

something else, but the petition doesn't say.

The residents were advised to submit another petition

14. Consideration of Agreement (COF 2012-0198) Between the Department of the Army and Metropolitan Government of Nashville and Davidson County and the City of Franklin and City of Brentwood and Williamson County for the Harpeth River, Tennessee Feasibility Study
David Parker, City Engineer/CIP Executive

David Parker introduced Craig Carrington, Chief of Plan Formulation Section of the Army Corps of Engineers gave a PowerPoint presentation on the reasons a feasibility study is needed:

Corps Study Process

- Interest from local sponsor or recognized need
 - May 2010 Flood saw 4 fatalities and an estimated \$480 million in direct economic impacts in the Harpeth Basin alone.
- Reconnaissance Study (Funding 100% Federal)
 - Reconnaissance Study, completed in May 2012 and Certified in July 2012, finds federal interest in pursuing both flood risk management and ecosystem restoration studies in the Harpeth Basin, with particular emphasis on regional flood risk measures
- Feasibility Cost Share Agreement (FCSA)
 - Over the past six months, Franklin Brentwood, Williamson County, Nashville, and the Corps have negotiated the scope, schedule, and budget of a multipurpose feasibility study, with a focus on regional flood risk management alternatives that would provide multi-jurisdictional benefits
- Feasibility Study (Funding 50% Federal, 50% Sponsor)
- Project Partnership Agreement (PPA)
- Project Design and Implementation (Varies; Typical Funding 65% Federal, 35% Sponsor)

Feasibility Study Goals

- Inventory and model existing conditions in the Harpeth River Basin
- Develop and analyze Flood Risk Management alternatives in the Harpeth River Basin, to benefit Franklin, Nashville, and Williamson County
- Will analyze regional Flood Risk measures that benefit Franklin, as well as local Flood Risk measures in Franklin
- Will investigate Aquatic Ecosystem Restoration opportunities as a secondary consideration in Franklin
- Determine a recommended plan of action, and go to 30% design and detailed implementation costs for this plan
- End Result: A Feasibility Report with a recommended plan of action approved by Congressional Committee, and the opportunity for sponsors to continue with Detailed Design and Implementation of recommended plan

Feasibility Study Execution

- Comply with "3x3x3" planning paradigm
 - No more than 3 years duration
 - No more than \$3 million total study costs
 - Must ensure 3 vertical levels of review and concurrence
- Use as much existing, reliable data as possible to reach decision points in an effort to minimize study costs and duration
- Sponsor PMs will be closely involved throughout the life of the study to ensure unfeasible alternatives are not analyzed in detail
- Will have an approved Feasibility Report 3 years after study initiation, but much of that time will be spent getting the report finalized and approved by Congressional Committee; a decision on a recommended plan will be reached by 19 months

Study Costs

- Total Study Cost is \$1.4 million

- Federal Share is \$700,000
- Collective sponsor share is \$700,000; \$100,000 is in-kind credit for PM involvement
 - Franklin's share, for the entire feasibility study, is \$246,800

	Total Study Costs by Sponsor		
	Federal Cash (\$)	PM Involvement Credit (\$)	Sponsor Cash (\$)
Franklin	280,166.17	33,333.33	246,832.84
Brentwood	50,000.00		50,000.00
Williamson	83,333.33	33,333.33	50,000.00
Nashville	286,500.49	33,333.33	253,167.16
	700,000.00	100,000.00	600,000.00

Partnership Benefits

- Other potential sponsors, also considering this effort, include Nashville, Brentwood, and Williamson County
- This multi-government partnership provides valuable advantages in data and knowledge exchange, reducing study costs and duration
- Regional flood risk management alternatives that benefit multiple jurisdictions could be cost shared among multiple partners

Summary

- Corps has determined a federal interest in pursuing a Feasibility Study for the Harpeth River Basin
- Feasibility Study will investigate both regional and local flood risk management measures for Franklin and other sponsors, as well as aquatic ecosystem restoration measures in Franklin
- Total study cost is \$1.4 million, with \$246,800 contributed by Franklin; study will be complete in 3 years, but actual decision on a recommended plan will be made in less than 2

Several questions were asked. Any feasible measure or alternative would have to be justified. They want public input. The Corps does not have the authority or ability to build anything the sponsors do not want. The question is how to keep Franklin from flooding. Paul Holzen is the City representative on this team.

Mayor Moore noted since there were many questions, this would be discussed again.

15. **Consideration of Bid Award to Office of Joel Tomlin III, LLC of Franklin, TN in the Total Amount of ~~\$18,905.00~~ \$16,716.00 for Tree Supply, Planting and Related Contract Services for the Parks Department (Purchasing Office Procurement Solicitation No. 2013-006; \$20,000.00 Budgeted for Project with 50% to be Transferred from Tree Bank Reserves and 50% to be Reimbursed by State Grant; Contract No. 2012-0202)**

Lisa Clayton, Parks Director

Lisa Clayton noted the caption amount should be corrected to read \$16,716.00

16. **Consideration of Bid Award to Thompson Machinery of LaVergne, TN in the Total Amount of \$136,845.92 for One (1) Unused 2013 Caterpillar 924K Wheeled Front-End Loader for the Stormwater Division of the Streets Department (Purchasing Office Procurement Solicitation No. 2013-008; \$145,000.00 Budgeted in 135-89530-43129 for Fiscal Year 2013; Contract No. 2012-0203)**

Joe York, Streets Director

Cost came in under budget

17. **Consideration of Amendment to Professional Services Agreement for the Harlinsdale Barn - Structural Stabilization and Weatherization Project COF Contract No. 2011-0061 (150-89230-47100) with Oversight, LLC at a Cost of \$4,200.00**

Brad Wilson, Facility Projects Manager

No questions or comments

18. **Consideration of ORDINANCE 2013-02, An Ordinance Authorizing the Adoption and Implementation of Amendments to Title 16, Chapter 7 of the City of Franklin Municipal Code as Relating to the Display of Merchandise, Decorative Fixtures, and Sandwich Board Signs on the Public Sidewalk within Franklin's Historic Preservation Overlay**
Vernon Gerth, ACA Community & Economic Development
Catherine Powers, Planning & Sustainability Director
 Catherine Powers related this is a minor change to allow 6' sidewalk signs (was 4.5 square feet) to match typical sign size.
19. **Consideration of RESOLUTION 2012-70, A Resolution Authorizing the Adoption and Implementation of Amendments to the Historic District Design Guidelines**
Alderman Ann Petersen, FMPC Board Representative
 Ms. Powers said this is a companion piece to item 18.
20. **Consideration of RESOLUTION 2012-69, A Resolution Approving a Development Plan for the Riverbluff PUD Subdivision, Located Along Lewisburg Pike Across from Donelson Creek Parkway, by the City of Franklin, Tennessee**
Alderman Ann Petersen, FMPC Board Representative
 Development plan not attached to rezoning. Rezone ±45.9 acres for 91 single-family lots. A traffic study was done and did not warrant a signal. A post-development study will be done.
21. **Consideration of Street Name Change for Properties Along Cadet Circle and Cadet Court**
Alderman Ann Petersen, FMPC Board Representative
 There are too many streets with Cadet in the name causing confusion for emergency providers.
22. **Consideration of RESOLUTION 2013-01, A Resolution to Affirm Compliance with Federal Title VI Regulations**
Eric S. Stuckey, City Administrator
 A resolution that must be done every year.
23. **Consideration of RESOLUTION 2013-02, A Resolution to Cancel the Board of Mayor and Aldermen Scheduled Meeting Date of July 9, 2013 and Call a Special Meeting for July 23, 2013**
Eric S. Stuckey, City Administrator
 The change is meant to facilitate those wanting a summer break. The second Tuesday of each month is the Charter mandated time for BOMA meetings. Some aldermen were not in favor of the change. Alderman Burger will be out of town on July 9.

ADJOURN

Work Session adjourned @ 7:08 p.m. (BOMA will convene at 7:20 p.m.)

Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 1/23/2013 11:11 AM