
**MINUTES OF THE WORK SESSION
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, MARCH 12 , 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	
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	
Fred Banner, MIT Director	P	Dan Allen, Assistant Engineering Director	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

3. Consideration of Event Permit Application from Heritage Foundation for Main Street Festival to be Held in Downtown Franklin on April 27-28, 2013

David Rahinsky, Police Chief

Eric Stuckey noted that because of the roadway improvement project at Bicentennial Park, the usual location of the carnival associated with this event, another location must be found. The Park at Harlinsdale Farm was considered; however, because of the conservation easement the Land Trust advised it was not possible. Other concerns regarding Harlinsdale; the fee for using the park for an event, and carnival personnel would stay on the property 3-5 days and that is not permitted.

Representatives from the Heritage Foundation and Downtown Franklin, Cyril Stewart, Mary Pearce and Nancy Williams were present. They too spoke with someone at the Land Trust.

Discussion:

- Franklin on the Fourth and Family Day held at Harlinsdale are not at the scale of the Main Street Festival. The City denied rides, etc. for Franklin on the Fourth. The Main Street Festival carnival is for-profit.
- Mary Pearce said the festivals are becoming more and more expensive and the carnival provides around \$16,000 profit. The Foundation doesn't want to do harm at Harlinsdale. They encouraged the City to do the land conservation and they helped with the grant for the Harlinsdale barn roof as well. This is a one-time request.
- Alderman Martin asked Ms. Pearce what the Board should say when the next group comes along and wants an exception. Ms. Pearce responded the Board should say that the Main Street Festival is the largest festival in Franklin and this is its 30th year.
- Alderman Barnhill asked what about other non-profits that want to share the profits with a for-profit and would be there on the property 5-7 days?
- Mr. Stewart noted they do have a home for the carnival that they've used every year, but have been displaced by City roadwork this year.
- The Foundation asked the owner of the silo property if that could be used, but they've had no response. Ms. Williams noted the traffic there is bad.
- Vice Mayor McLendon's concern, aside from legal issues, the Board can't go about the business of deciding who is deserving and who is not. His concern about pedestrian traffic from Harlinsdale to Main Street was eased when Mr. Stuckey and Monique McCullough advised there would be shuttles.
- Alderman Blanton asked if the Bicentennial site would be available for the carnival in coming years, and was told that is unknown at this time.
- Ms. McCullough commented if it rains Harlinsdale will be one big mud farm.
- Alderman Bransford thought since the City displaced the carnival, the City should allow the carnival at Harlinsdale with the caveat it is for just one time and with concerns incorporated.
- Alderman Skinner requested the Board receive something in writing from the Land Trust before this goes forward.

4.* Consideration of RESOLUTION 2013-11, A Resolution of the Board and Mayor and Aldermen for the City of Franklin Employees' Pension Plan, Providing a Cost of Living Adjustment to the Monthly Benefit for Retired Recipients

Shirley Harmon, Human Resources Director

Staff recommends the Board approve a CPI-based adjustment for Pension Program participants using the March 2013 CPI. The increase is estimated to be 1.5%.

5.* Consideration of ORDINANCE 2013-11, An Ordinance Amending the Table of Organization for the Franklin Fire Department

Rocky Garzarek, Fire Chief

The amendment is to account for reclassification of one existing 30-hour per week employee (with benefits) to 40 hours per week as the department continues to expand the position and services needed to make their agency more responsive to internal and external customers.

6.* Consideration of ORDINANCE 2012-60, An Ordinance to Amend the City of Franklin Municipal Code Title 16, Chapter 1 Relative to Sales of Goods and Wares in the Public Right-of-Way

**Eric Stuckey, City Administrator
Shauna Billingsley, City Attorney**

Board Input:

- Alderman Skinner noted if Option 2 is selected, it will amend the ordinance to **allow sales to the passenger side of stopped vehicles located in the curb lane adjacent to the sidewalk.** Staff recommends the following: ~~Strike paragraph (c)(1) and~~ **add to the end of current paragraph (c)(2) the following language: “except that such materials may be handed to the occupant of any motor vehicle through the passenger side of stopped vehicles in the lane adjacent to the sidewalk, but only at such intersections that are not yield controlled or do not have continuous protected right turn. Transactions shall not be permitted within the controlled access area of the interstate including on-ramps and off-ramps.”** Renumber the paragraphs accordingly.
- Alderman Martin said the most pressing issue of her constituents is that of the vendors walking up and down the sidewalks of the residential areas. She will not support the amendment.
- Alderman Bransford asked how Option 2 would be enforced. Mr. Stuckey responded it would be by resident observation or a police officer on patrol. The officer would either issue a warning or a citation. The City could take the extra step to advise the publisher of the violation.
- Alderman Burger stated the majority of her constituents want the selling to stop. The biggest issue is safety and not a campaign against the homeless as some seem to believe. She submitted pictures taken of vendors selling in areas that are in violation of the Contributor’s policy and of two other vendors representing different entities in violation. She asked Chief Rahinsky if he considered it a grave issue for vendors to sell to people in moving vehicles.
- Chief Rahinsky quoted statistics: Nationally, last year accidents involving motorists and pedestrians rose 19%; there were 70,000 accidents and 5,000 fatalities involving moving vehicles and pedestrians. The average automobile weighs 4,000 lbs. and moves along at 44-45 mph compared to the average pedestrian who runs at 7-8 mph and weighs 150-200 lbs. making a disconnect when they meet. With pedestrians and vehicles in close proximity there are inherent dangers.
- Vice Mayor McLendon thought it interesting that of all who have spoken, not one was a vendor. The day after the public hearing he observed and photographed infractions by two vendors in different areas, one was from the Contributor and one was not. It will be difficult for publishers to police their own people. He indicated he would vote for Option 2 for now, but wanted to revisit the issue later. He asked that Chief Rahinsky have his officers keep records of citations and warnings. If the violations continue, the only safe thing is to ban the sales all together. He doesn’t see much centralized support from the publisher.
- Alderman Blanton commented that when they start policing the vendors, the vendors will learn there are consequences.
- Alderman Barnhill voiced the ordinance that has been in place for years has not been enforced.
- Alderman Burger stated Option 2 does not get rid of cars and pedestrians interacting. The Contributor previously said they can’t come here and police the vendors because they are too busy. There must be more enforcement; how many warnings before a ticket is issued?

Citizen Input

- Annie Middleton, 1408 Granville Road, Franklin, said she is happy to stop and buy a Contributor if it is a safe situation. The vendors are trying to get out of bad situations and many authors in the publication are described as former homeless. She is happy to contribute to the dignity of the people selling. It is a confrontation with another human being and they are grateful. She understands the safety issue but thinks some way to accommodate the vendors should be found to show that Franklin wants to support people who are trying to help

themselves dig out. ♦ Alderman Bransford asked if she would pull off the street to purchase the Contributor. Ms. Middleton said she would.

- Brant Bousquet, 608 Mt. Hope Street, Franklin, said having the Contributor people here is a gift to Williamson County. When they are selling it is a great reminder of putting a face to the homeless and it gives the residents an opportunity to interact with them as people and help them get out of their circumstances. The Contributor has rules. People in Green Hills and Nashville embrace them. He doesn't want Franklin to be seen as the wealthy out in the country. Work together with Option 2 and revisit it later.
- Approximately 100 signed statements in favor of allowing the sale of publications in designated areas in Franklin were submitted for the record by Daniel Reagan,

Contributor Input

- Tasha French-Lemley, Executive Director of the Contributor, stated they do not want their vendors to sell from the medians, off ramps, or restricted roadways; nor do they want them walking into the roadway between vehicles. They have hired a part-time person to come to Franklin 8 hours per week to see if the vendors are following the rules. They are aware of other publication vendors in Franklin and want to influence the behavior of smaller publications as well. As to how many warnings are given before a ticket is issued, they suggest no warnings; issue a ticket on the first violation and notify the publisher.

7. **Discussion on McEwen & Carothers Integrated Growth Plan (RESOLUTION 2013-15)**

Eric Stuckey, City Administrator

Paul Holzen, Engineering Director

Dan Allen, Assistant Engineering Director

Kimley Horn and Associates developed three options to show potential ROW and construction needs:

- Option 1 "Widen to the Inside"
This option widens both roads from four to six lanes by utilizing the large medians in both Carothers Parkway and McEwen Drive and is anticipated to have the lowest overall cost impact, but significantly alter the aesthetics of Carothers Parkway and McEwen Drive.
- Option 2 "Widen to the Outside"
This widens both roads from four to six lanes by acquiring extra ROW to the outside of the existing ROW in both Carothers Parkway and McEwen Drive, and is anticipated to have the highest overall cost impact while preserving the established aesthetics of the two roads.
- Option 3 "Hybrid"
This blends elements from both of the previous options by widening to the outside in undeveloped areas along the corridor and widening to the inside in developed areas. For areas widening to the inside, a minimum median width of 6' will be provided. Option 3 was developed as a compromise of cost and aesthetics between the first two options.

Staff recommends the Hybrid Option presented in the Integrated Growth Plan for the Carothers/McEwen Corridors be approved for the infrastructure requirements for the anticipated needed improvements for Carothers Parkway and East McEwen Drive.

Discussion:

- The Plan is an infrastructure blueprint
- It is not a commitment by the City to build; it is identified as a capital project with the same decision making process.
- It is a planning document to help all the players, public and private, have a game plan. No

formal entitlement.

- The Mallory Corridor and others are at least as important per Alderman Petersen. The Main Study was one side of McEwen up to Meridian, it doesn't go from Bakers Bridge to Highway 96. This is too concentrated and not the big picture. She requested more information on this, meandering trails, a timeframe when some things might be done, and how it fits in with all of Franklin. In addition, at some point, she wants to know the traffic situation on Mallory, Cool Springs, and McEwen.
- The focus on the Hybrid Option is due to the concentration of undeveloped property; higher intensity and higher density from open land to a well-functioning City. Other corridors will be examined as well.
- Alderman Skinner asked how they would get developers to help with interconnectivity. Dan Allen related that is an option from the Integrated Growth Plan that talks about access management. The medians are laid out as such to connect all three parcels. Designated lines on the map will be development built.
- Alderman Burger thought the ideal situation would be to build a monorail!

8. Consideration of Proposal from NetMotion for Mobile VPN Communication Software in an Amount of \$52,545.71

Fred Banner, MIT Director

The current system is not as efficient for mobile units as the NetMotion system. The Fire Department bought NetMotion six months ago. They experienced improved service immediately. Fourteen (14) of 25 units are being used in other departments (Streets, BNS, Planning and Police) with the same result. The number of units required to complete the desired list is 275 (including the 14 to be returned to the Fire Department and a spare reserve of 25.) The annual maintenance cost for 275 units is \$8,371.96. Costs will be absorbed within the IT Department budget and potentially spread between the existing FY 2013 and the FY 2014 budgets. This system is easier to use, gives continual connectivity and will create consistency among the departments.

9. Consideration of ORDINANCE 2013-08, An Ordinance to Rezone ±10.03 Acres From Agricultural District (AG) To Estate Residential District (ER) for the Properties Located at 252 and 256 Spencer Creek Road

Alderman Ann Petersen, FMPC Representative

No questions or comments

ADJOURN

Work Session adjourned @ 6:37 p.m.

Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 3/27/2013 10:07 AM