
**MINUTES OF THE WORK SESSION
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, SEPTEMBER 10, 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		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	P	Joe York, Streets Director	P
David Rahinsky, Police Chief		Brad Wilson, Facilities Project Manager	
Fred Banner, IT Director	P	Lanaii Benne, Assistant City Recorder	P
Chris Bridgewater, BNS Director	P	Linda Fulwider, Board Recording Secretary	P
Becky Caldwell, Sanitation Services Director			

1. Call to Order

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

2. Citizen Comments

Vernon Gerth introduced Lawrence Sullivan who was recently hired as Assistant City Recorder of Revenue Management. Mr. Sullivan was formerly associated with Battleground Academy.

WORK SESSION DISCUSSION ITEMS

3. 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

No questions or comments.

4. 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

No questions or comments.

5. Consideration of ORDINANCE 2013-43 To Be Entitled: An Ordinance to Amend Title 4 of the City of Franklin Municipal Code Relative to the City's Occupational Safety and Health Program, to include Certain Updates as Required by Tennessee Occupational Safety and Health Administration

Sara Sylvis, Risk Manager

Updates 2003 program and adds Plan of Action.

6.* Consideration of ORDINANCE 2013-13, A Rezoning Request for 1034 & 1035 Windcross Court from General Commercial District (GC) To Residential Variety District (RX) on 11.21 Acres

Alderman Ann Petersen, FMPC Representative

Rezoning request for Artesa PUD Subdivision.

7. Consideration of RESOLUTION 2013-17, A Resolution to Approve the Development Plan for the Artesa PUD Subdivision on ± 11.21 Acres for the Property Located at 1034 & 1035 Windcross Court

Alderman Ann Petersen, FMPC Representative

Vernon Gerth related that several residents spoke when this was addressed at the Planning Commission meeting. Dan Allen elaborated on discussions and the condition that was added by the Planning Commission. The condition is: "Request to limit access to the site from Jordan Road to an Emergency Access only". Staff recommended disapproval of this condition because it is not supported by the Zoning Ordinance or Land Use Plan and would increase congestion and traffic flow on Windcross Court and Cool Springs Boulevard. If connectivity isn't provided, traffic will be concentrated on major arterials. Gated residential access is needed.

Discussion:

- Alderman Burger said she has been meeting with the residents there for months. Connectivity is important but not always appropriate for every situation. She suggested a gate be constructed as though it were a residential access in case Jordan Road would be improved.
- Alderman Petersen agreed with the Planning Commission regarding the emergency access condition.
- Traffic signals, turn lanes onto McEwen Drive, lighting on pedestrian connection to the trails on McEwen, and sidewalks were mentioned as being questionable if this were constructed as an emergency access.
- Mr. Gerth indicated that when this resolution comes back to BOMA for a public hearing on October 8, 2013, staff will differentiate and clarify the differences in improvements as a gated resident entrance vs. an emergency access entrance.

*** Vice Mayor McLendon joined the meeting at 5:24 p.m.**

- Alderman Burger asked if Greg Gamble would address the traffic study.
- Mr. Gamble indicated a synopsis of the traffic study could be provided. A traffic signal is warranted at some intersections.

8.* Consideration of ORDINANCE 2013-14, An Ordinance to Amend Section 5.10.4(3) of The City of Franklin Zoning Ordinance Relating to Cross Access Between Adjacent Uses

Alderman Ann Petersen, FMPC Representative

Catherine Powers related this ordinance is codification of what is already being done and what the Zoning Ordinance requires. The amendment will require that the applicant notify adjacent property owners and provide them with information related to the location(s) of cross access easements. Staff believes that this notification will allow adjacent property owners to work with the applicant in a timely manner if there are concerns. A Cross Access and Maintenance Agreement that clearly defines construction and maintenance obligations of the applicant will be required.

9.* Consideration of ORDINANCE 2013-44, A Rezoning Request for 3003 Del Rio Pike From Estate Residential District (ER) To High Residential District (R-3) on 9.04 Acres

Alderman Ann Petersen, FMPC Representative

Planning Commission voted unanimously to recommend this rezoning.

10. Consideration of RESOLUTION 2013-43, A Resolution Approving a Development Plan for Blossom Park PUD Subdivision on ± 9.04 Acres for the Property Located at 3003 Del Rio Pike

Alderman Ann Petersen, FMPC Representative

Alderman Barnhill said he had heard there might be a request for a different type fence between two properties. Ms. Powers indicated there is no modification of standard from the application. Discussion ensued on what was

or was not said about fences at the neighborhood meeting and that the applicant did not request a change. Should the applicant request a change, the Development Plan would have to go back through the Planning Commission.

11. **Consideration of RESOLUTION 2013-50, A Resolution Approving a Development Plan for Williamson County Emergency Operations Center PUD Subdivision on ± 5.00 Acres for the Property Located at 304 Beasley Drive**

Alderman Ann Petersen, FMPC Representative

Ms. Powers said this project would be done in phases with the smaller building first, followed by the additions.

Aldermen Burger and Barnhill had some concerns and questions that were addressed by Ms. Powers.

12. **Consideration of RESOLUTION 2013-55, A Resolution Approving a Development Plan Revision (Modification of Standards-Parkland) for the Preserve at Echo Estates PUD Subdivision on ± 86.3 Acres, Located at the Termini of Echo Lane and Alpine Court**

Alderman Ann Petersen, FMPC Representative

Ms. Powers related this park is about an acre and is adjacent to formal open space. The City will not be responsible for maintenance. It is a modification of standards-parkland.

13. **Consideration of Final Change Order to Contract 2012-0086, Harlinsdale Equestrian Barn Structural Stabilization and Weatherization Project in an Amount of \$37,734.88**

Brad Wilson, Facilities Project Manager

No questions or comments.

- 14.* **Consideration of Amendment to Business Associate Agreement with Sherill Morgan (COF Contract No. 2013-0124) for HIPAA**

Shirley Harmon, Human Resources Director

HIPAA requirement.

- 15.* **Consideration of Approval to an Amendment to the Agreement with ICMA-RC to Offer Payroll Deduction Roth Individual Retirement Accounts to Employees (COF Contract No. 2012-0087 AMD1 ICMA-RC)**

Russ Truell, ACA Finance & Administration

Shirley Harmon, Human Resources Director

No questions or comments.

16. **Consideration of Sole-Source Purchase from Vision Internet Providers, Inc., a California Corporation, of Services Necessary to Upgrade the City's Website in the Total One-Time Amount of \$22,950 (\$32,000 Budgeted in 110-82510-41330 for Fiscal Year 2014; Addendum No. 2 to COF Contract No. 2009-0015**

Milissa Reiersen, Communications Manager

One-time fee for upgrade of City Website.

17. **Consideration of Sole-Source Purchase from Vision Internet Providers, Inc., a California Corporation, of Services Necessary to Purchase Annual Website Subscription Services in the Amount of \$6,600 for the Initial One-Year Term with Options to Renew at Specified Rates for Not More Than Four (4) Additional Years (\$32,000 Budgeted in 110-82510-41330 for Fiscal Year 2014; COF Contract No. 2009-0078)**

Milissa Reiersen, Communications Manager

Software hosting and client support services for City's public website.

18. **Consideration of Change Order in the Amount of \$374,855.00 to Contract with Infor Systems (Contract 2010-0045) for Utility Billing Software Implementation**

Russ Truell, ACA Finance & Administration

Fred Banner, Information Technology Director

Russ Truell noted staff has worked for over two years to upgrade the system that sends out 25,000 bills every

month. The change order is needed to complete the work.

19. Consideration of Change Order in the Amount of \$194,062.50 to Contract with Infor Systems for Community Development Software Implementation

Russell Truell, ACA Finance & Administration

Fred Banner, Information Technology Director

Community Development/Building and Neighborhood Services project for permitting and is tied into the Water Department to bring forward accounts with wrong addresses and or meter numbers. Work in progress.

20. Consideration of Adoption Agreement with Loomis-Sayles Trust Company LLC for Management of Fixed Income Allocation (COF Contract No. 2013-038) for the City of Franklin Employees' Pension Plan

Russ Truell, ACA Finance & Administration

Shirley Harmon, Human Resources Director

Manager chosen to manage a portion of the fixed income investment allocation for the Employee's Pension Plan. Approval subject to final approval of City Administrator, City Attorney, and pension counsel. Allocation split between two different managers.

21. Consideration of Investment Management Agreement with Bradford & Marzec LLC for Management of Fixed Income Allocation (COF Contract No. 2013-0132) for the City of Franklin Employees' Pension Plan

Russ Truell, ACA Finance & Administration

Shirley Harmon, Human Resources Director

Manager chosen to manage a portion of the fixed income investment allocation for the Employee's Pension Plan. Approval subject to final approval of City Administrator, City Attorney, and pension counsel. Allocation split between two different managers.

22. Consideration of RESOLUTION 2013-58, An Initial Resolution Authorizing The City of Franklin, Tennessee to Issue its General Obligation Bonds in the Aggregate Principal Amount of Not to Exceed Ten Million Dollars (\$10,000,000) to Issue Pension Obligation Bonds

Russ Truell, ACA Finance & Administration

Dahab Associates, the City's pension advisor and PFM, debt advisor, have concluded that it may be advantageous to issue pension obligation bonds due to current circumstances. Those circumstances include current low interest rates for municipal debt; rising interest rates for bonds and other investments; changes in Government Accounting Standard Board (GASB) reporting rules that now require unfunded pension liabilities to be included on the balance sheet in future financial statements; and the announcement by Moody's rating services that they will use a stricter standard for calculating unfunded liabilities than that of the GASB.

Lauren Lowe of PFM will be here for the Joint Budget & Finance/CIC meeting on September 25. She believes the borrowing rate with bonds with a final maturity of ten years could be issued at an interest rate of approximately 3.05%. Dahab Associates reports that earning on our pension investment could range between 5% and 8%, on average, over that period. If the advisors are correct, the City would benefit by the differential between the two rates. The City would also benefit by reducing the unfunded liability more quickly than is currently formulated in our actuarially required contributions from operating budgets. Some risk is involved by taking soft liability and transferring it to hard liability. It would take away the ability of the Board to fund the Pension Fund every year, which the Board has done with more than required. Alternatives would be to take \$10,000,000 from the Fund Balance (leaving nothing for emergencies), or the Board could step up the funding each year.

The Budget & Finance Committee has addressed this as well. The State has passed enabling legislation to allow select cities to do this because they are AAA rated and show good management in their plans. There is no particular timeline to do this except that interest rates are moving and will probably go up. At some point it will become too risky. The money is owed and if funded now or funded later is something to decide. The actuarial plan is to fund over 20 years; that is too long.

There was discussion on the pros and cons of borrowing, alternative methods of funding the pension plan 100%, and payback on borrowing. Alderman Barnhill, chairman of the Pension Committee, pointed out the City owes the money whether unfunded liability or bond issue. There will never be a better situation to borrow at 3%. Seven members of the Pension Committee, which includes Mayor Moore, voted in favor.

The next steps would be to have bond counsel draft an initial resolution to publish in the newspaper for public comment, followed by notifying the State Comptroller. This item will be on the September 24 BOMA agenda.

ADJOURN

Work Session adjourned @ 6:17 p.m.

Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 9/25/2013 1:55 PM