
MINUTES OF THE *WORK SESSION*
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, JANUARY 28, 2014 – 5:00 P.M.

Board Members

Mayor Ken Moore	P		
Vice Mayor Ann Petersen	P	Alderman Beverly Burger	P
Alderman Clyde Barnhill	P	Alderman Dana McLendon	P
Alderman Brandy Blanton	P	Alderman Margaret Martin	A
Alderman Pearl Bransford	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, Human Resources 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		Joe York, Streets Director	P
David Rahinsky, Police Chief	P	Brad Wilson, Facilities Project Manager	P
Fred Banner, IT Director		Lanaii Benne, Assistant City Recorder	P
Chris Bridgewater, Building & Neighborhood Services Director	P	Linda Fulwider, Board Recording Secretary	P
Becky Caldwell, Sanitation & Environmental Services Director	P		

1. Call to Order

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

2. Citizen Comments

- Steve Smith, Executive Director Williamson Medical Center Foundation, gave an overview of their \$65 million, two-part project. He displayed renderings of the outside and inside changes to the Medical Center. The east tower three-story addition will contain surgical expansion. The three-story addition to the west tower will be connected to each floor of the hospital: the ground floor will be a children’s emergency unit, the second floor will be shelled in to accommodate expansion of the maternity unit, and the third floor will be a dedicated pediatric unit with 12 beds and 4 observation beds. This is in cooperation with the Monroe Carell family and will be staffed with Vanderbilt pediatricians. Target date for completion is April or May 2015. There is no Vanderbilt money in this project. It is strictly in association with Vanderbilt.
- Dorie Bolze, Executive Director Harpeth River Watershed Association, related how much she has enjoyed being a member of the Stormwater Appeals Board and that it has been a pleasure to serve. She added that she understood that the Mayor was going to replace her on that Board tonight. Ms. Bolze went on to say that she has worked for a long time on ordinances and such and that she adds a lot to the organization as an ecologist and to make sure the ordinances are done right. She mentioned that she also serves on the Williamson County Stormwater Appeals Board that was established before the City of Franklin’s Stormwater Board of Appeals. Further, procuring grants and funding, and providing new thoughts on doing things is important as well as the Board having a broad range of members, including ecologists and developers. She thanked the Mayor and the Board for the opportunity to serve the City of Franklin. She has always taken it seriously and is willing to keep serving depending on the vote tonight.

WORK SESSION DISCUSSION ITEMS

3. **Consideration of Event Permit Application for Brewfest (Downtown) on March 15, 2014 (Heritage Foundation)**

David Rahinsky, Police Chief

No questions or comments

4. **Consideration of Event Permit Application for Tour De Cure Bike Ride Sponsored by American Diabetes Association in Cool Springs Area on May 17, 2014**

David Rahinsky, Police Chief

No questions or comments

5. **Consideration of Event Permit Application for Ride for Kids Sponsored by Pediatric Brain Tumor Foundation on May 18, 2014**

David Rahinsky, Police Chief

No questions or comments

6. **Consideration of Event Permit Application for Snowball Express 5K in Downtown Franklin on May 24, 2014**

David Rahinsky, Police Chief

No questions or comments

- 7.* **Consideration of RESOLUTION 2014-11, A Resolution to Amend and Restate the City of Franklin Employees' Pension Plan**

Shirley Harmon, Human Resources Director

This is standard operating procedure to update pension plans for the IRS cyclical "remedial amendment periods" system. Amendments were approved previously. This puts them together in the one document. Employees were notified.

- 8.* **Consideration of Approval of the Assignment of Contract Between City of Franklin and SouthernSun Financial Management (COF 2012-0027)**

Russ Truell, ACA Finance & Administration

This is an existing investment approved by the Board. Action tonight is to approve consent to a change in ownership. There are no other changes to the contract.

- 9.* **Consideration of RESOLUTION 2014-10, A Resolution to Authorize the City of Franklin to Submit an Application to the Tennessee Historical Commission for the Federal Preservation Grant Program**

Lisa Clayton, Parks Director

Catherine Powers, Planning and Sustainability Director

Amanda Hall and Catherine Powers addressed this item. Catherine Powers explained this grant would allow underground examination of the two City-owned cemeteries. Amanda Hall noted it is a 60% match to examine Rest Haven and City Cemetery. Radar and GIS are employed as well as using data from the stone grave markers. The information would then be available on the Internet, and available to the public. The estimated cost is \$32,472 for completion of ground penetrating radar collection, digital mapping, cemetery roster services, and internet hosting, 60% of which the City would be reimbursed if awarded the grant. Typo stating the amount in the resolution will be corrected. If the grant is received it will be in next year's Parks budget.

10. **Consideration of RESOLUTION 2014-02, A Resolution to Pursue Implementation of the Advanced Metering Infrastructure (AMI) Project as a Priority Project Developed Through the Integrated Water Resources Plan (IWRP)**

Mark Hilty, Water Management Director

This was discussed at the December Capital Investment Committee meeting and they requested discussion by the entire Board.

Mark Hilty related that a number of the automatic meter reading (AMR) transmitters installed in the 1990s are beginning to fail. The Water Department has been evaluating Advanced Metering Infrastructure (AMI) to improve efficiency of operations and enhance customer service capabilities. The AMI system transmits data directly from the meter endpoint to one or more base stations which is then forwarded immediately to back-end software via any available Ethernet connection. The data transmission occurs at a regular interval (typically 15 minutes) providing the City and customers with valuable water consumption information. Some of the efficiencies and information that will help enhance customer service and department operations include:

- ◆ Increased frequency on status delivery point (consumption, leaks, read failure, etc.)
- ◆ Faster trend detection and location specific
- ◆ Detailed information at delivery points
- ◆ Leak Detection
- ◆ Reverse Flow
- ◆ Tamper detection
- ◆ Lower meter reading expenses (personnel, gas, vehicle, insurance, etc.)
- ◆ Lower maintenance cost
- ◆ Maintenance activities are managed daily versus monthly
- ◆ Significant labor reduction

Staff proposes to implement this system over a period of three to five years and build it into operations budgets. Existing towers can be utilized and as the new system is worked in, readings could be taken from both methodologies. Additional towers can be installed along the way. Each tower costs approximately \$30,000 to \$40,000.

Staff observed the system in Mayfield, Kentucky, and Brentwood is beginning the process. Mayfield uses the system for water and electrical. Positive feedback was received from them. The life cycle of the transmitters is 20 years which is similar to the current transmitters.

Staff recommends moving forward with the AMI system because it will be a benefit long-term. The capital cost difference is about \$1 million with the AMI being the costliest; however, after 7 to 8 years the City would recover the additional cost.

11. Consideration of Requested Road Impact Fee Agreement with Embrey Partners, Ltd. For the Artesa Development

David Parker, City Engineer/CIP Executive

The eligibility of a signal on Cool Springs Boulevard at Windcross Court and the eligibility for Road Impact Fee Offsets was discussed at length by the Capital Investment Committee. Staff has recommended that offsets not be applied here because Road Impact Fee Offsets are for the benefit of arterial roads and this project benefits side streets only. Four options were offered for consideration. If the request is approved it will set a precedent on how signals are dealt with.

Embrey Partners plans to construct The Artesa at the terminus of Windcross Court located in Cool Springs. The Development Plan and PUD was approved on November 12, 2013 and consists of 250 multi-family units. On November 13, 2013 staff received a request from Embrey Partners for a \$384,250 road impact fee offset credit that includes an offset for the following:

Design Fees:	\$ 10,500
General Conditions	\$ 48,750 (15% of Construction Cost)
Construction:	<u>\$325,000</u>
Total	\$384,250

The intersection of Windcross Court and Cool Springs Boulevard currently has a median cut allowing full access to Cool Springs Boulevard. No traffic signalization was ever planned at this intersection due to the existing geometric conditions and proximity to Mack Hatcher Parkway and McEwen Drive. Based on the traffic impact study conducted by Artesa Development the current zoning and

land use has created the need for a signal at this location. Breakdown of the projected trip generation and impact fees collected for all the properties located on Windcross Court:

Address	Average Daily Traffic	% of Traffic-Windcross	Road Impact Fee Paid	% of Impact Fee Paid on Windcross
122 Cool Springs Boulevard (Oral Surgery)	168	3.1%	\$2,925	0.4%
1009 Windcross Court (Office Building)	946	17.4%	\$51,975	6.4%
1021 Windcross Court (Office Building)	1,462	26.9%	\$50,589	6.2%
1010 Windcross Court (Primrose School)	1,088	20%	\$16,847	2.1%
200 Cool Springs Boulevard (Dermatology)	124	2.3%	\$2,849	0.4%
Artesa (250 Unit Apartment Complex)	1,653	30.4%	\$691,500*	84.7%
Total	5,543	100%	\$816,685	100%

*250 Units * \$2,766 (Multi-family effective 1-Jul-13 = \$691,500)

Options:

1. Direct staff to prepare a road impact fee offset agreement for the full amount estimated at \$384,250. Only actual cost that meets the requirements of Franklin Municipal Code will be reimbursed. The estimated financial impact would be \$384,250.
2. Direct staff to prepare a road impact fee offset agreement for 69.6% to allow an offset for the amount of traffic generated from other developments having direct access onto Windcross Court. The estimated financial impact would be \$267,438.
3. Direct staff to prepare a road impact fee offset agreement for \$125,185.00 to allow an offset for the amount of road impact fees collected from the adjacent properties located on Windcross Court. The estimated financial impact would be \$125,185.00.
4. Do not approve an offset agreement based on the following information:
 - No signal was ever planned at this intersection
 - The proposed signalization is a benefit for the side street (Windcross Court), is not a benefit to the arterial roadway network.
 - Offsets were not given to developers at the following intersections
 - ▶ Columbia Avenue & Southeast Parkway – The Developer was required to construct the signal as part of their development and posted a bond in the amount of \$195,000
 - ▶ Public Works Access Roadway – Agreement between the City and Longview Commercial Subdivision required the developer to pay for half the signal cost in the amount of \$110,000. The other half was paid by the City as part of the Public Works Building
 - ▶ Franklin Park & Vanderbilt (E. McEwen Drive) – Staff has verbally told the developer that they would not receive a favorable recommendation for an offset because the proposed signal improvements benefit the side street and not the arterial
 - ▶ Vanderbilt and Ovation (Carothers Parkway) – Staff verbally told the developer they would not receive a favorable recommendation for an offset because the proposed signal improvements benefit the side street and not the arterial
 - ▶ Ovation (Resource Parkway and E. McEwen Drive) – Staff verbally told the developer they would not receive a favorable recommendation for an offset because the proposed signal improvements benefit the side street and not the arterial
 - ▶ Franklin Park (Resource Parkway and Carothers Parkway) – Staff has verbally told the developer that they would not receive a favorable recommendation for an offset because the proposed signal improvements benefit the side street and not the arterial

Staff Recommendation: Based on the signal projects listed in Option 4 there is a precedent for not allowing offsets for signal projects that benefit side streets only. Staff recommends Option 4.

Discussion:

- Vice Mayor Petersen: It is unfair for this development to pay more than future developments on the north side of Cool Springs Boulevard as they will generate as much traffic and much less than half the total.
- Alderman Burger: Referred to traffic generation numbers and mentioned the traffic generated by future development on the north side. The Ordinance does not allow for this offset. There should be some kind of offset since Embrey is not paying 100%.
- Alderman Barnhill: Regarding Option 4 and the examples provided, if the Board approves this offset it will be viewed as a precedent setter and there is already precedent for not allowing offsets. Someone has to pay, whether it is this development or the ones to come.

- Option 4 is in the best interest of the citizens of Franklin.
- Alderman Skinner: The developer knew there were access challenges for this property. Access to Jordan Road was not an option. They knew a signal was likely there. If it causes more traffic, the developer should pay. No one knows when there will be development on the north side. Approval of this agreement would set a bad precedent. He questioned if other developments denied would come back and ask for the same consideration. The developer came to the City and asked for a zoning change.
 - Alderman Bransford: Agreed with Aldermen Barnhill and Skinner that someone has to pay.
 - Alderman Burger: Remembered the developer did not ask for variances. This situation is different than the examples. They should be given some offset. The City required the back access be closed.
 - Alderman McLendon: Had a problem within the memo under Background where it reads, "The intersection of Windcross Ct and Cool Springs Blvd currently has a median cut allowing full access to Cool Springs Blvd. No traffic signalization was ever planned at this intersection due to the existing geometric conditions and proximity to Mack Hatcher Parkway and McEwen Drive." Eric Stuckey said changing the zoning and the increased traffic makes the signal necessary now. Alderman McLendon said the plan required the signal. He doesn't want to create situations that the developer agrees to the signal and then comes back later because they don't want to pay for it.
 - Mr. Stuckey: It was required but not totally resolved about payment. It should have been dealt with at the time the development plan was approved.
 - Alderman McLendon: If the developer agrees to offsets, it should be stated explicitly in the beginning that they pay for it. This conversation should not be happening now. In his opinion the road impact offsets for improvements that benefit only the development and adjacent properties should not be made into an agreement. It is an access driven request. He agreed with Alderman Barnhill that to say yes to this will have changed the rule. He didn't recall any other offset agreements after the fact on project parts that mostly benefit the developer.
 - Clarification: The statement that no traffic signal was planned applied land use plans and the like that were in effect long ago and that have changed over the years.
 - Gillian Fishbach: Explained her traffic analysis and the warrants that deem the signal necessary. This development plays a part of making it necessary.
 - Greg Gamble: Southeast Parkway and Columbia Avenue project is the only one of the examples provided that is even close to the same situation. Artessa will occupy the last part of the build-out. Development will exist on the north side. He said Aspen Grove Medical Plaza has escrowed money, therefore a signal had been planned. Embrey will generate 30% of the traffic.
 - Brad Knolle, Senior Vice President Embrey Partners: Recalled meeting staff at the intersection in question and mentioning cost concerns of a signal. He said Dan Allen (former staff engineer) told him a decision to receive offsets would be favorable for them. So, he always assumed an offset would be granted as Mr. Allen had said. They always planned getting an offset because of their 30% of existing traffic
 - Alderman Skinner: The Southeast Parkway/Shadow Green study did not warrant a signal. The signal was deemed necessary due to the number of accidents at that intersection. He again stated no one knows how long it will take for the north side to develop. Who is going to pay the difference?
 - Mayor Moore: How much did the developer save without the Jordan Road improvements?
 - Brad Knolle, Senior Vice President Embrey Partners: The right-hand turn lane is the only thing eliminated for a savings of approximately \$50,000. The \$691,000 plus \$350,000 will put the cost over \$1 million, equal to \$4,000 per unit. He said to let them put the signal in. They want credit off the \$691,000 for the 30%, a 70% credit.
 - Alderman McLendon: Concerned that if there are going to be offsets, it needs to be settled up-front; otherwise, no one ever know the cost. Impact Fees are collected to create traffic infrastructure. It doesn't make sense to impose a fee and then bid against ourselves. The

Board should never have this kind of conversation again. This should not have come back to BOMA. The net result is to renege to taxpayers. Would we have said yes to this if we had known the costs before?

- Brad Knolle, Senior Vice President Embrey Partners: They followed staff's lead.
- Alderman Burger: Supported Option 2. She remembered standing at that intersection that day as well (recalled by Brad Knolle, Embrey SVP) and that she and Dan Allen told the developers the policy allows an offset, so they thought they were getting it.
- Paul Holzen: The Jordan Road closure does not factor into this as the signal would be required regardless.
- Alderman Barnhill: Will not support the offset as he doesn't remember it being discussed originally. Embrey indicated it was discussed with staff, but that was not at a meeting. The signal supports the side street. He supports Option 4.
- Alderman McLendon: Staff recommends Option 4. Option 1 seems unfair to taxpayers because it takes a condition away which means the City pays for it. Option 2 creates free riders out of some of the other property owners, if giving them a full 70%, and the City can't go back and get the other percentage. Option 3, he doesn't understand the logic. Option 4 is the most comfortable as it is how they've always done things. It is harsh. It seems high in the formula for 250 units and is over \$1 million in Impact Fees for 250 units with trip generation for that of an office building.
- Alderman Bransford: Changed her mind because of the \$1+ million cost. It puts a burden on the taxpayers. She supports Option 2.
- Vice Mayor Petersen: Offsets have been given after project approval all the time. Mr. Parker clarified occasionally that is done. She went on to say the other thing is, the people who develop on the north side will get home free except for \$100,000 maximum plus fees and will be responsible for the northern portion not already built out. It is unfair that the southern side is paying more than half.
- Alderman Blanton: The cost is more than \$1 million. In her opinion, the 250 units @ \$4,000 will be paid for by the apartment dwellers via raised rent. Why should the last one on the south side pay for it all? She supports Option 2 or Option 3.

12. Consideration of Contract Award to Heritage Propane of Franklin, TN in the Estimated Total Amount of \$94,300 Over a Three-Year Initial Term of Award, with Two Options to Extend the Term of Award for Up to One Year Each, for Propane Fuel Service for Propane-Powered Parks Department Lawn Mowers, and for Fuel-Type Conversion of Four Parks Department Lawn Mowers (Purchasing Office Procurement Solicitation No. 2014-015; Contract No. 2014-0019)

Lisa Clayton, Parks Director

This has been budgeted.

ADJOURN

Work Session adjourned @ 6:29 p.m.

Dr. Ken Moore, Mayor