
MINUTES OF THE *WORK SESSION*
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, FEBRUARY 25, 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	P
Alderman Pearl Bransford	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, Human Resources Director	
Russell Truell, ACA Finance & Administration	P	Mark Hilty, Water Management Director	
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		Joe York, Streets Director	P
David Rahinsky, Police Chief		Brad Wilson, Facilities Project Manager	P
Fred Banner, IT Director	P	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.

Aldermen Comments

- Alderman Barnhill said he had received calls questioning staff's plan to employ state licensure in the requirements for electrical contracting. Eric Stuckey responded that staff did have plans to transition electrical work to tie to state licensure; however, they now plan to defer and bring options for a locally implemented plan with standards not as onerous as the state baseline.

2. Citizen Comments

None

WORK SESSION DISCUSSION ITEMS

3.* Consideration of Event Permit Application for Mellow Mushroom Concert Series to be Held on Each Second Saturday March – October, 2014 in Downtown Franklin

David Rahinsky, Police Chief

Eric Stuckey explained that the last concert series sponsored by Mellow Mushroom used the parking quadrant in front of their building. A pedestrian walkway was later established to provide a place for pedestrians to walk that was not in the lane of traffic. This year, the applicant requested to close a portion of the Square. Staff recommends to continue the closure of the parking quadrant as was done last year including the pedestrian walkway.

The application caused controversy regarding the request to close the quadrant and a portion of Main Street and expanding the footprint of the concert series.

Discussion:

- Alderman Bransford: Need to look at this closely. There are for-profit and non-profit entities that sponsor events. She received emails from residents about this application as well. A vibrant downtown with entertainment is wanted, but what is the City gaining by allowing for-profit businesses to disrupt citizens.
- Alderman Burger responded that the City gains sales tax dollars, vibrant businesses, and businesses who want to say downtown. It is important for the City to do all it can to make them vibrant. At the same time, those events shouldn't cut off traffic. We have to be reasonable to make it work.
- Applicants Joey Clark, Regional Manager, 15 Cedar Court, Franklin; Daryl Stone, Marketing Director, 308 Highland Avenue, Franklin; and, Wendy Sherman, 1104 Lowestoft Court, Thompson's Station, came forward to speak on behalf of the Mellow Mushroom.
- Mr. Clark: The expansion of the footprint was just an idea and not necessarily what they wanted to do. They were trying to make it safer and more accommodating for citizens. He noted citizens attended these concerts full-force. The expansion is something that could perhaps be done in future as the event grows.
- Alderman Barnhill asked if they are comfortable with the staff recommendation and Mr. Clark responded that they are fine with that.

(The memo accompanying the application stated the applicant has agreed to work with staff to continue to monitor attendance at the event and, over the next couple of months, determine other ways to expand the footprint while avoiding possible inconveniences to motorists. Options include utilizing the alley behind Mellow Mushroom and/or working with Williamson County on the feasibility of using their property (courtyard of Historic Courthouse). If the attendance continues to grow and these options are not feasible, the applicant will resubmit a request for the closure of the Square from Second Avenue to Fourth Avenue.)

- As to noise issues, Mr. Clark said they generally have one complaint each show, but that their hours are well within the City's noise ordinance.
- Alderman Barnhill asked if they had an extra beer permit for this series. Mr. Clark said they were going to pursue that; however, these concerts are mainly attended by families, and are not high-selling alcohol functions.
- Alderman Martin asked about the approval conditions, one of which is for them to hire three extra-duty Franklin Police Officers for each concert. Mr. Clark indicated they are fine with that stipulation and they previously had hired two extra-duty Officers.

There were comments from two citizens:

- John Morris, 204 Third Avenue South, Franklin. Mr. Morris expressed concerns about the event itself. It is always an imposition for people for the benefit of a special few; however, he doesn't want to rule out private businesses using City property from time to time. The concern is that the benefit is for such a small group. Summers in downtown are jammed packed anyway with people trying to navigate the square. He was also concerned with a staff recommendation that can expand the footprint without BOMA input.
- Ernie Bacon, 224 Fourth Avenue South, Franklin, Downtown Neighborhood Association Board thought the Board and City staff tolerant of this situation whereby the applicant caused untold staff time to work on this only to have the applicant say maybe. It might be time for the City to have a non-refundable fee. He opposes the concerts at Mellow Mushroom. At some point he would like discussion on for-profit businesses disrupting traffic and the citizens. He guesses he is against for-profit events and doesn't think it is a sound policy. A series of events over a period of time should not be approved as one. What if something were to happen at one of the events. They have all worked hard to make Franklin a destination. Don't let success become excessive: Franklin could become an entertainment attraction instead. Downtown Historic Franklin is the jewel that draws people. The Downtown Franklin community includes residents as well and needs sensitivity. He asked that the larger issue be explored.

Discussion:

- Alderman Martin said she has lived in her home Downtown for 49 years, and agreed with Mr. Bacon regarding the balance. She told of two incidents, one in which 16 bikers parked motorcycles in her yard because of a breakdown, one of a stranger sitting in a rocking chair

on a neighbor's front porch. She likened it to people thinking Franklin is like a Disney Street and make themselves at home. There must be a balance and care taken to not be intrusive. She supported Mellow Mushroom's application as long as they can manage with the same setup as last year with no expansion.

- Mr. Clark commented that 200-400 people attend each show. They bring revenue to the area because they shop and eat downtown. If the event does grow, he would like to have discussion to see if they can expand.
- Alderman Bransford: Getting those tax dollars is a good thing.
- Alderman Blanton: Understands both sides of the issue and is okay with it as long as the noise ordinance is followed.
- Alderman Skinner thought the Law Department should include a statement in the document that if a problem occurs, the City has a right to cancel the series.
- Eric Stuckey related there are already safeguards in place.
- Alderman Burger asked if there had been any incidents heretofore. The answer was no.

4. Consideration of Event Permit Application for Fiddlin Fish 5K Sponsored by First United Methodist Church to be Held on May 10, 2014 in Downtown Franklin

David Rahinsky, Police Chief

No questions or comments

5. Consideration of Event Permit Application for Franklin on the Fourth Sponsored by Franklin Lions Club to be Held on July 4, 2014 in Downtown Franklin

David Rahinsky, Police Chief

No questions or comments

6. Consideration of Event Permit Application for Americana Music Festival Sponsored by Americana Music Association to be Held on May 31, 2014 at Harlinsdale Farm

Lisa Clayton, Parks Director

Eric Stuckey noted the Americana Music Association relocated to Franklin last year.

Jed Hilly, Executive Director of Americana related they are a 50-year old non-profit organization that moved to Franklin last April. The not-for-profit trade organization promotes awareness, provides a forum, and advocates for the creative and economic vitality of the Americana music genre; music indigenous of this region and other southern points. They cross county lines and all artists volunteer their time. Their previous event was a sellout. They encourage the use of local vendors for their events.

▶ (Item 10 addressed next)

7. Discussion Regarding Farmer's Market Area at Bicentennial Park

Lisa Clayton, Parks Director

Eric Stuckey noted the discussion is about the potential use of Bicentennial Park for the Farmer's Market. Lisa Clayton introduced Lisa Tidwell and Stephanie Dial, Farmer's Market representatives who spoke to the possibility of relocating the Farmer's Market to Bicentennial Park.

- The Farmer's Market already has a relationship with the City with their children's garden at Harlinsdale.
- Their mission is to help Tennessee farms stay alive and growing. They started with 8 farmers and have grown to over 70 farms.
- The Saturday morning year-round market has become of social event with events and activities. The customer base is over 3,000.
- Award for best Farmer's Market in the Southeast.
- Partnerships are essential to move forward on their goals
- Exploring expansion of the market and a long-term location
- Looking at grants and partnerships

Discussion:

- Alderman Bransford asked about the financial impact to citizens. Response: People are more likely to visit surrounding businesses when shopping at the Farmer's Market.
- Alderman Blanton concerned about adequate parking.
- Lisa Clayton: The property is 10.5 acres and @ 100-150 cars per acre, 350-400 cars could park at the site. Not everyone comes at one time. The hours are 8:00 a.m-1:00 p.m. in the summer.
- Alderman Skinner asked if they had the option to stay at The Factory. He was told that The Factory has asked them to stay; however, they want to do what is best for the farmers and vendors. They are exploring all options.
- Eric Stuckey said Parks asked for funding in the budget for sprucing up the pavilion. The pavilion could be used for the Farmer's Market as well as other events.
- Alderman Barnhill: Concerned that if the Farmer's Market would use the pavilion every Saturday morning year round, it wouldn't be available for anyone else. It is not what he envisioned for that property.
- Ms. Clayton advised they are working with the Master Plan that was approved by the Board. The Farmer's Market is one of the potential events listed, along with carnivals, concerts, festivals and other opportunities.
- There would be a lease agreement.

8. Discussion Regarding Leaf Collection on Private Streets within the City Limits
Alderman Dana McLendon

Discussion prompted at the request of a citizen and an alderman. Joe York reported on the results of a review by his team:

- Leaf collection is done during an 18-week period in fall and early winter. It is an intense period of work. They are quite near or at capacity in terms of equipment and staff. To add 14 residential communities with private streets (many are gated communities) would add approximately 40 lane miles to the service. It is estimated these areas would produce approximately 80 additional truckloads generating between 960 and 1,040 cubic yards of leaves. Currently, these citizens can have their leaves picked up through the City's weekly Sanitation and Environmental Services Department by using brown yard waste bags.
- The program was initiated for City streets because the Streets Department is responsible for maintenance of those streets. They are not responsible for the maintenance of private streets.
- Additional costs include 1 new dump truck @ \$90,000, Container Box @ \$5,000, LeafVac machine @ \$24,000 for a total of \$119,000; a specialized vacuum truck is also being considered at a cost of \$200,000 that can provide both leaf pick-up and storm sewer clean-out throughout the year. This specialized vacuum truck would be eligible for funding through the Stormwater Fund. Ongoing operational costs include an estimated additional fuel cost of \$5,500 and staffing costs of \$37,000, including additional overtime.

Options:

1. Continue to provide leaf collection services only in neighborhoods with public streets. Residents on private streets would need to continue to rely on yard waste (brown bag) pickup only for leaf disposal.
2. Expand the leaf program to residential neighborhoods with private streets in the same manner as is currently provided on public streets (weekly pickup).
3. Expand leaf collection to private streets on a limited basis, providing collection less frequently than on public streets such as twice per month as opposed to weekly pickup.

Discussion:

- Vice Mayor Petersen: Residents on private streets have all City services except the leaf collection by the Streets Department.
- Alderman McLendon: Brush and bagged leaves are picked up by the City on these streets. Those residents are taxed at the same rate as everyone else. This isn't giving something away to people who don't pay for it.
- Alderman Barnhill: No reason to deny the service. They are paying for it through taxes.
- Alderman Skinner: Doesn't want to spend the money without reimbursement

Citizen Comments:

- James Stucki, Halberton Drive, The Reserve at Spencer Creek, reiterated what he said when he first made the request. They have all services except for the leaf collection by the Streets Department and they are paying for it through taxes. No one can tell him why they are not receiving this service. He is asking the Board to consider leaf collection on private streets.
- Susan Cantrell, 244 Halberton Drive, The Reserve at Spencer Creek, HOA President: School buses, large trucks and emergency vehicles navigate their streets. The gates are open 50% of the time. They are just asking for pickup at least once per season and they have been asking since 2011.

Discussion:

- Alderman Bransford: The policy should be revisited
- Joe York: pickup is every week. Around Thanksgiving they run all five trucks and pick up on Saturdays (overtime) during this peak season. They can't always get to all the houses.
- Alderman McLendon: They already pay for the service. Whether adding these communities to the system or not, the City will need more trucks because of continued development. He would rather see the frequency of collection scaled back for everyone and add these subdivisions.

9.* Consideration of Amendment No. 1 to City of Franklin (COF) Contract No. 2012-0078, the Professional Services Agreement (PSA) with Sullivan Engineering, Inc. (SEI) for Additional Engineering Design and Technical Services for the Carothers Parkway South Extension Project in an Amount Not to Exceed \$108,980.00

**David Parker, City Engineer/CIP Executive
Paul Holzen, Engineering Director**

▶ (Addressed during Item 10 discussion)

Per Eric Stuckey, cost to construct the "gap" is \$2.85M. A Change Order can be issued and the road completed within 12 months. It is a unique opportunity to save. If this project is delayed there would be inflation. When the developer could construct the "gap" is unknown. If not completed, the traffic will be diverted through the neighborhoods with narrow streets, and the work on I-65 will be ongoing for next couple years.

Paul Holzen added that the time is now to finish to design. It can be funded from the TOC budget making it ready for the Change Order. The developer plans to pay for it with offsets and they won't do that until they get sufficient money.

Alderman Skinner said this is similar to Berry Farms and the gap on Goose Creek. We responded to that pretty quickly and it was around \$2M. The same type situation, although that was a TDOT project. We need to respond to this project.

Mr. Stuckey noted "f" (from the "a through f" CIP projects) the McEwen/Cool Springs roundabout dedicated right-turn lane @ \$475,000 is working well now and the turn lane may not be needed. Paul Holzen added there is only a peak delay of 30-seconds at this time; the turn lane could be part of McEwen IV project.

Alderman Barnhill: It would be a mistake not to do this project because the City will get the money back and it is one of the most important road projects.

- ▶ (Discussion returned Item 10)
- ▶ (Addressed following Item 6)

10. Continued Discussion of RESOLUTION 2014-13, A Resolution to Adopt the Funding Plan for the FY 2014-2018 CIP (Capital Investment Program)

David Parker, City Engineer/CIP Executive

An updated Debt Capacity Model was reviewed by Lauren Lowe of Public Financial Management (PFM) who joined the discussion via telephone.

Capacity model includes:

- Actual, Audited Revenues and Expenditures for FY 2013
- Budgeted FY 2014 Revenues and Expenditures
- Revenue and Expenditure Growth Rate Assumptions
- \$2 Million budget Reduction to Expenditures per the Comptroller’s Request
- FY 2014 (Series 2013) Bonds are included at \$7.405M for Series 2013A and \$10M for Series 2013B (Pension)
- Committed Project Number 2 (Consolidated Public Works) project amount has been updated to \$7.369M
- Committed Project Number 12 (Residual Balance from Recovery Zone Projects) is included for Project contingency at \$3M. Actual amount is to be determined.

Debt Capacity Model Scenarios:

- Committed Projects funded with General Obligation Bond (balance that was not funded by the Series 2013-A Bonds) plus an additional CIP based on the following:
 - Scenario 1
 - ◆ \$3M additional CIP needs distributed among the next 2 years (2015-2016)
 - Scenario 2
 - ◆ \$5M additional CIP needs distributed among the next 2 years (2015-2016)
 - Scenario 3
 - ◆ \$7M additional CIP needs distributed among the next 2 years (2015-2016)

Fiscal Year	Scenario 1 - \$3M – CIP	Scenario 2 - \$5M CIP	Scenario 3 - \$7M CIP
2015	\$13,000,000	\$14,000,000	\$15,000,000
2017	\$13,000,000	\$14,000,000	\$15,000,000
2019	\$5,870,565	\$5,870,565	\$5,870,565
TOTAL	\$31,870,565	\$33,870,565	\$35,870,565

- Contingencies included in the three scenarios in case of needs that may arise

Scenario Comparisons – Metrics

- Cumulative New Debt Service shown in Dollars
- All Debt Service/Budget shown in Percentages

Scenario Comparison – Debt Service reviewed

Scenario Comparison – Debt Ratios

Affordability Matrix					
	General Fund Balance as a % of Operating Revenues	Debt Service as a % of Operating Expenditures	Net Debt per Capita	Per Capital Debt/Per Capita Income	Net Direct Debt as a % of Market Value
Scenario 1 - \$3M CIP		Yrs 2014-2023: Ratio is above policy			Yr 2017: Ratio is at policy
Scenario 2 - \$5M CIP		Yrs 2014-2023: Ratio is above policy			Yrs 2015 & 2017: Ratio is at policy
Scenario 3 - \$7M CIP		Yrs 2014-2023: Ratio is above policy			Yrs 2015, 2017, 2018: Ratio is at policy

- All the scenarios include projects 1-12 that fall in committed project needs.

- Policy is that Debt Service should be 8% of the General Fund. These scenarios would be 50%-60% more than the policy. Borrowing \$3M more puts it at 11%

Discussion:

- Vice Mayor Petersen: That is a percentage of the General Fund that can't be used for anything else. (the above Debt Service)
- Mayor Moore: Now that they understand the capacity, need to move forward and approve some of the projects from the Hotel/Motel Tax and the Facilities Tax funds.
- Alderman Burger: Need to go ahead with the design of McEwen Phase IV. She was not comfortable spending any money on the design for City Hall until it is known what is going to be done. The financing for the joint venture is gone; however, there could be another proposal out there. Don't spend any money on a design at this point. Alderman Burger said she wanted an RFP.
- Eric Stuckey: No matter if a single building or a partnership, a design is needed for the size, scope, scale, and to show what is available for other options. Then they can look at how to complete the building project. The needs must be defined.
- Alderman Skinner thought Item 9, Carothers Parkway, might have a lot to do with the CIP since it is part of the list and asked if that could be discussed before completing discussions on the CIP.

(Discussion moved to Item 9)

Following the discussion on Item 9:

- Alderman Blanton: "g" and "h" are sidewalk design, right-of-way and construction. Frustrating to do the designs and then not get the projects done.
- Mayor Moore: That is why we need to move things along.
- Paul Holzen: It helps to have the designs ready, especially for those projects on the MPO list.
- Vice Mayor Petersen: The Harpeth River Walk that wasn't even a top priority for BOMA.
- Eric Stuckey: That was added from staff review and it ties into Hotel/Motel Tax and connectivity from Downtown to the Eastern Flank. All these projects are a mix of staff and BOMA priorities.
- Alderman Martin: Suggested if "f" is removed, that that \$475,000, put it with the \$150,000 and finish the Franklin Road design.
- Alderman McLendon: The Harpeth River Walk is a want and not a need. Resources are scarce and that makes a strong case that all or almost all else be needs. The river walk does little or nothing for safety, and does nothing for traffic; a nice want. The \$115,000 is not a shocking number, but it is putting a want as priority and taking a need off the list. He has grave reservations about that.

The CIP will be on the March 11, 2014 Work Session and BOMA agendas.

11. Discussion of City of Franklin Strategic Plan

Eric Stuckey, City Administrator

Deferred to March 11, 2014 Work Session.

12. Discussion of Proposed RESOLUTION 2014-17, A Resolution, As Amended, Adopting a Plan of Services for the Annexation of Certain Areas by the City of Franklin, Tennessee (Ingraham Subdivision)

Catherine Powers, Planning & Sustainability Director

Second request for annexation. A draft of the revised Plan of Services was submitted for review and input. There will be a public hearing in March. The property is near Clovercroft and Amelia Park. The extension of Market Street and extensive sewer work are issues.

The applicant proposes 146 detached, single-family dwellings. The site is located in a rural section

of Williamson County and the Plan of Services stipulates the infrastructure the applicant is required to provide to adequately support the project. The Ingraham Property lies within the Mayes Creek Basin. Generally, developments are required to route their sewer within their identified basin. However, the majority of the Mayes Creek Basin, including the required sewer infrastructure as well as the proposed wastewater treatment plant required to serve this development, has not been built. For this reason, extension of the Mayes Creek interceptor from the south shall not be required as part of this development.

The Developer shall not be allowed to Plat more than 100 single family lots until the Watson Branch Interceptor has been upsized by the City of Franklin and the McKay's Mill West Pump Station rerouted by the Developer. A traffic study recommended the construction of a 100 foot long southbound right turn lane on North Chapel Road at Murfreesboro Road and local street connections with Amelia Park to the North and Watkins Creek Subdivision to the South.

The owner shall be required to connect to the north to the lift station proposed with the Amelia Park Development. This would allow the flow from the property to be routed through the Spencer Creek interceptor creating possible future, unplanned capacity issues within the Spencer Creek Basin. To alleviate this issue, the owner shall be required to reroute the flow currently going to the McKay's Mill West pump station in Spencer Creek to the Watson Branch Interceptor. In the event the City does not complete the upsizing of Watson Branch Interceptor within three years from the date the development plan is approved, the City will reevaluate capacity and consider allowing the developer to plat all 146 single family lots with the following conditions:

1. All offsite easements have been obtained,
2. All offsite sanitary sewer plans have been approved by the City of Franklin
3. The Owner shall post a performance surety for all offsite sanitary sewer improvements required as part of the plan of service and development plan requirements.

Discussion:

- Greg Gamble of Gamble Design Collaborative (GDC) representing Patterson Homes: They had no opportunity to submit the Development Plan and they want to present it at the next workshop. There are two constraints to discuss in the plan of service. The potential to stop the development after the 100th home and to restart for the remaining 46 homes would be problematic as would the stipulations if the Watson Branch Interceptor is not complete at three years, offsite easement, offsite sewer plan approval, and the posting of a performance surety. They can't see that 46 more homes would make enough difference to stop the development.
- Paul Holzen: All that means is that all the City is asking is to reevaluate the situation when a development is using a basin it is not meant to be using. Things happen and they just want to be sure everything is in place.
- Wes Patterson: The reevaluation is to see if they have 100 homes and they probably will have; 46 more homes is negligible.
- Paul Holzen: It will probably take three years before they get to the 101st home is the point.
- Alderman Skinner: Some things were left up in the air with Ladd Park and Stream Valley and the ratepayers needed to pay. He hates the negotiation. The developer could reduce the lots and go with septic systems, but they don't want to do that. It is unknown if other requests will come in that are in the correct basin; do we tell them no.
- Eric Stuckey: A public hearing is scheduled on March 25, 2014.
- Alderman Barnhill: 46 homes is an insignificant number and he didn't see the necessity for the 100 home cutoff.

13. Consideration of Contract for the Disbursement of Community Based Development Organization

**Program Funding, Fiscal Year 2013-14 from the City of Franklin (COF Contract No. 2014-0005)
(Community Housing Partnership)**

Chris Bridgewater, Building & Neighborhood Services Director

No questions or comments

14. **Consideration of Contract for the Disbursement of Community Based Development Organization Program Funding, Fiscal Year 2013-14 from the City of Franklin (COF Contract No. 2014-0006)
(Hard Bargain Association)**

Chris Bridgewater, Building & Neighborhood Services Director

No questions or comments

15. **Acknowledge Report of Sole-Source Purchase of Traffic Signal Vehicle Detection Equipment and Hardware from Traffic Technology Integrations of Nashville, TN in the Total Amount of \$39,938 for the Traffic Division of the Street Department (\$40,000 Budgeted in 310-83641-43110 for Fiscal Year 2014)**

Joe York, Streets Director

No questions or comments

ADJOURN

Work Session adjourned @ 7:37 p.m.

Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office – (printed 3/13/2014 4:30 PM)