

**MINUTES OF THE REGULAR MEETING
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, FEBRUARY 11, 2014 – 7:00 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	
Vernon Gerth, ACA Community & Economic Development	P	Shirley Harmon, Human Resources Director	
Russell Truell, ACA Finance & Administration	P	Mark Hilty, Water Management Director	
David Parker, City Engineer/CIP Executive	P	Paul Holzen, Engineering Director	P
Shauna Billingsley, City Attorney	P	Catherine Powers, Planning & Sustainability Director	
Rocky Garzarek, Fire Chief		Joe York, Streets Director	P
David Rahinsky, Police Chief		Brad Wilson, Facilities Project Manager	
Fred Banner, IT Director		Lanaii Benne, Assistant City Recorder	P
Chris Bridgewater, Building & Neighborhood Services Director		Linda Fulwider, Board Recording Secretary	P
Becky Caldwell, Sanitation & Environmental Services Director			

1. Call to Order

Mayor Ken Moore called the February 11, 2014, meeting to order at 7:25 p.m.

2. Invocation

The invocation was offered by Alderman Clyde Barnhill

3. Pledge of Allegiance

All present pledged allegiance to the Flag of the United States of America

- 4. Grievances or Statements from Citizens:** Citizen Comments (Open for Franklin citizens to be heard on items not included on this Agenda. As provided by law, the Board of Mayor and Aldermen shall make no decisions or consideration of action of citizen comments, except to refer the matter to the City Administrator for administrative consideration, or to schedule the matter for Board consideration at a later date. Those citizens addressing the Board of Mayor and Aldermen are requested to come to the microphone and identify themselves by name and address for the official record)
None

5. Communications from Williamson County Mayor and Williamson County Commission

There were no County representatives present.

6. Approval of Minutes

Vice Mayor Petersen moved to approve the January 28, 2014 Work Session and January 28, 2014 Board of Mayor and Aldermen minutes as presented. Seconded by Alderman Burger. Motion carried unanimously.

7. Recognitions

- GFOA Award
Mayor Moore noted this is the sixth year the Government Finance Officers Association

Distinguished Budget Presentation Award has been won. Mike Lowe accepted the award on behalf of Stacy Woodard and the Finance Department.

8. Miscellaneous Reports

None

9. CONSENT AGENDA

All items under the Consent Agenda are deemed non-controversial and routine in nature by the governing body. They will be approved as recommended by Committee or staff by one motion of the governing body. The items on the Consent Agenda will not be discussed. Any member of the governing body desiring to discuss an item on the Consent Agenda may request that it be removed from the Consent Agenda and be placed on the Regular Agenda. It will then be considered at that time. Staff recommends that Item Numbers **11-16** be placed on the Consent Agenda.

Vice Mayor Petersen moved to approve the Consent Agenda Items 11-16, with the exception of Item 12 that was pulled and deferred to February 25, 2014. Seconded by Alderman Bransford. Motion carried unanimously.

NEW BUSINESS

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

David Parker, City Engineer/CIP Executive

Staff Options discussed at January 28, 2014 Work Session:

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

Alderman Burger moved to approve Option 2, directing staff to prepare a road impact offset agreement for an amended percentage of 50% (recommended Option 2 was @ 69.6%) at approximately \$192,195. Seconded by Alderman Bransford.

Alderman Burger said the policy is to allow offsets, but does not promise offsets. This was not dealt with up-front and the developer understood from staff that there would be an offset.

Discussion:

- ◆ Alderman Martin commented that this was initiated by the developer and not by the City. When this was first presented the signal was a condition of approval that they would place the traffic signal. She heard nothing about the City paying for anything. Many residents have told her the City should not put any money into the signal. She will not support the motion.
- ◆ Alderman Barnhill said he had a problem with pulling-out a number without a reason. He supported Option 4 because the signal benefits the side street and not the arterial. No offsets; he will not support Option 2. The Board spent hours discussing this project and he did not remember discussing offsets. The developer agreed to install the signal during the approval process.
- ◆ Vice Mayor Petersen: Rezoning had no effect on whether a traffic signal was needed. There was at least as much traffic as the previous zoning. A signal was not proposed at first, but it was later realized a signal was necessary. Signalization should not fall on the last one coming in nor the first one. It would be fair for them to pay half.
- ◆ Alderman Skinner: Staff has laid out reasoning for Option 4. It is setting a precedent by negotiating after the fact. Discussion of the policy should be done later. Don't set a precedent with this. He will vote no on Option 2.
- ◆ Alderman Bransford supported Option 2 @ 50%. The traffic signal is needed.
- ◆ Alderman McLendon: The Board has approved projects without quantifying offsets. The signal will benefit those traveling on Cool Springs Boulevard. The developer depended on a conversation with staff and Alderman Burger on the side of the road. It should have been formalized, but was not.
- ◆ Alderman Burger: The policy should be clarified. She recommended the Board not do this again or throw out the policy and start over. The offset wasn't promised but implied.
- ◆ Alderman Bransford called the question.

The vote on the motion to approve Option 2, directing staff to prepare a road impact offset agreement for an amended percentage of 50% (recommended Option 2 was @ 69.6%) at approximately \$192,195 ended in a 4-4 tie with Aldermen Burger, Blanton, Bransford and Vice Mayor Petersen voting in favor, and Aldermen Martin, Skinner, McLendon, and Barnhill voting against. Mayor Moore voted in favor and the motion carried 5-4.

CONSENT AGENDA

11. **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
Resolution 2014-02 approved unanimously
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)**
Deferred to February 24, 2014 **Lisa Clayton, Parks Director**
13. **Consideration of Event Permit Application for Brew Fest (Downtown) on March 15, 2014 (Heritage Foundation)**
Approved unanimously **David Rahinsky, Police Chief**

14. **Consideration of Event Permit Application for Tour De Cure Bike Ride Sponsored by American Diabetes Association in Cool Springs Area on May 17, 2014**
Approved unanimously **David Rahinsky, Police Chief**
15. **Consideration of Event Permit Application for Ride for Kids Sponsored by Pediatric Brain Tumor Foundation on May 18, 2014**
Approved unanimously **David Rahinsky, Police Chief**
16. **Consideration of Event Permit Application for Snowball Express 5K in Downtown Franklin on May 24, 2014**
Approved unanimously **David Rahinsky, Police Chief**

EXECUTIVE SESSION

17. **Consideration of Motion to Enter Executive Session for Purpose of Reviewing Various Matters of Pending Litigation**
Shauna Billingsley, City Attorney
Alderman Barnhill moved to enter Executive Session. Seconded by Alderman Burger. Motion carried unanimously. (7:54 p.m.)

RETURN FROM EXECUTIVE SESSION

18. **Consideration of Matters from Executive Session**
Dr. Ken Moore, Mayor
(Returned 8:02 p.m.) There were no matters for consideration.

ADJOURN

Alderman Barnhill moved to adjourn. Seconded by Alderman Blanton. Motion carried unanimously.

The meeting adjourned @ 8:03 p.m.

Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 6/24/2014 4:16 PM