

**MINUTES OF THE WORK SESSION
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, JUNE 10, 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	A
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 Development	P	Shirley Harmon, Human Resources Director	P
Russell Truell, ACA Finance & Administration	P	Mark Hilty, Water Management Director	
David Parker, City Engineer/CIP Executive		Paul Holzen, Engineering Director	P
Kristen Corn, Staff Attorney	P	Catherine Powers, Planning & Sustainability Director	P
Rocky Garzarek, Fire Chief	P	Joe York, Streets Director	P
Kevin Teague, Deputy Police Chief	P	Brad Wilson, Facilities Project Manager	P
Fred Banner, IT Director	P	Lanaai 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

None

WORK SESSION DISCUSSION ITEMS

3. Presentation – Diversity and Citizen Engagement.

Dr. Ken Moore, Mayor

Mayor Moore introduced Renata Soto of Conexion Americas in Nashville who gave a presentation on Latinos in Middle Tennessee Region. Ms. Soto made a presentation at the recent Mayors Caucus. As Franklin and Middle Tennessee become more diverse, he thought it beneficial to be aware of some of the issues involved with integration into the culture.

Latinos in Middle Tennessee Region:

Why does it matter?

Six-in-Ten U.S. immigrants live in just five states...

1. California	10.2 million immigrants	25% of all immigrants
2. New York	4.3 million immigrant	11% of all immigrants
3. Texas	4.2 million immigrants	10% of all immigrants
4. Florida	3.7 million immigrants	9% of all immigrants
5. New Jersey	1.9 million immigrants	5% of all immigrants

Five other states have seen the fastest growth since 2000...

1. Tennessee	304,000 immigrants	90% growth
2. South Carolina	222,000 immigrants	88% growth

3. Kentucky	143,000 immigrants	82% growth
4. Alabama	162,000 immigrants	82% growth
5. Mississippi	68,000 immigrants	74% growth

Two-thirds of Hispanics live in just five states...

1. California	14.4 million Hispanics	28% of all Hispanics
2. Texas	9.8 million Hispanics	19% of all Hispanics
3. Florida	4.4 million Hispanics	8% of all Hispanics
4. New York	3.5 million Hispanics	7% of all Hispanics
5. Illinois	2.1 million Hispanics	4% of all Hispanics

Nearly half (47%) live in California and Texas alone

Five other states have seen the fastest growth since 2000

1. Alabama	186,000 Hispanics	158% growth
2. South Carolina	241,000 Hispanics	154% growth
3. Tennessee	296,000 Hispanics	154% growth
4. Kentucky	132,000 Hispanics	132% growth
5. South Dakota	23,000 Hispanics	129% growth

Who are Latinos?

An Ethnic Group:

- ✓ Common language (Spanish)
 - ✓ Shared culture and heritage
- A common race

Hispanics in the U.S.: Origin and Place of Birth, 2011

There are over 51.9 million Hispanics in the U.S., and 36% are foreign-born. This share varies greatly between each of the country of origin groups.

- 64% born in U.S. (33,140,000)
 - 36% foreign-born (18,787,000)
- Total: 51,927,000

Mission

To help Latino families realize their aspirations for social and economic advancement by promoting their *integration* into the Middle Tennessee community.

In •te • gra • tion (noun)

“An act or instance of combining into an integral whole.”

Promoting the economic, social and civic integration of Latino families

Integration – two-way learning process –Latino Immigrants/Host Community

- Reciprocal understanding, respect, and adaptation
- Multi-dimensional experience
 - Civic Integration
 - Social Integration
 - Economic Integration

Programs

- Civic Integration
 - Grassroots Leadership Development
 - Advocacy
- Social Integration
 - English Language Instruction
 - Parental School Engagement
 - Youth Development
 - Information, Referrals
- Economic Integration
 - Homeownership
 - Entrepreneurship
 - Tax Paying

Building a City where everyone belongs

- Conexion Americas was established 12 years ago in Nashville. Change is hard for some rooted in the southern culture of Middle Tennessee. The organization’s role is to help Nashville and Middle Tennessee be a *Welcoming Evangelist*.
- *Placemaker – Convener* – All want a sense of belonging. Make Middle Tennessee a place where everyone belongs.
- Conexion Americas is a *Direct Service Provider & Advocate*

Ms. Soto’s Comments

- Keep cultural heritage of home country while also becoming integrated into new culture

- Reciprocal understanding, respect and adaption: Requires adaptation on both sides.
- Opportunities that are better than in their hometown.
- Make sure City is providing entrepreneurial spirit for businesses.
- The City should help the population that doesn't speak English in a disaster situation (such as the 2010 flood).
- Major service areas focus to be inclusive.
- Education, affordable housing and transit important.
- Opportunities for the best jobs possible and for families.
- Help them understand.
- Advocate Mayor and Advocate Aldermen to be inclusive.
- Convener – 10 non-profits under one roof for immigrant families.
- Improve services for non-English speaking people.
- Boards and Commissions should be encouraged to be reflective of diverse community and put them on boards and commissions.
- Neighborhood anchors to bring people together.
- City of Franklin is in an ideal position to be placemakers – Is the City making a place for everyone – parks, transit.
- Corridor on Nolensville Road with all the car dealerships being made to look better. The community center is there and they have attracted an 80 unit apartment building behind the community building.
- Build up a better future for those neighborhoods in which they settle.
- Promote the City where all are included by actions to celebrate them and what they have come here to achieve.
- Ms. Soto said she is willing to work with the City and departments within the City toward these goals.

Mayor Moore noted that Ms. Soto was honored as Nashvillian of the Year in 2013.

4.* Consideration of Liquor License Retailer's Certificate (Renewal) for the Corner Wine & Spirits (Guru Dev of Franklin, LLC; Ramesh Surati [Managing Agent] and Manharbhai Patel), 1110 Hillsboro Road Suite 120A, Franklin, Tennessee.

Lanai Benne, Assistant City Recorder

No questions or comments

5.* Consideration of ORDINANCE 2013-46, To Be Entitled: "An Ordinance to Remove Base Zoning Districts: RX, MN, ML, MX; and to Create Five New Base Zoning Districts: SD-R, SD-X; RM-10, RM-15, RM-20."

Vice Mayor Ann Petersen, FMPC Representative

Catherine Powers noted the vote at first reading was to defer the second reading and public hearing to tonight. This has been a long process with many people involved and a lot of input from the public and from the Aldermen. Staff is looking forward to this Ordinance moving along. Some projects in the pipeline have the new designations.

Alderman Bransford said losing the RX District, as it applies to density, is a concern from a Housing Commission point of view. Ms. Powers explained that density is attached to the SD process.

Alderman Burger said she is now comfortable with the SD-R and SD-X, but has another issue. Under the current ordinance, minor changes require only staff review. Could those projects already approved still have minor changes in density with just staff review and approval? Subsection 2.4.2 (11) (c) (i-iv): Minor changes in open space less than 10% that do not alter the character of the development - changes in density that are less than 10% that do not alter the character of the development; parking changes or minor engineering revisions that do not alter the character of the development; and, minor changes to the street network that do not impact the character of the development. The proposed amendments would, at least for density, require a full amendment to the approved zoning with the same expense and time requirements as full rezoning. She thinks it unfair to impose these requirements on existing, approved developments.

Ms. Powers explained that under SD there were some changes. The only thing not included, the density. Density changes must go through the process. Those developments in the pipeline were approved with the Development Plans. It would not be feasible to allow over 20 years-worth of projects to do that.

- 6.* **Consideration of ORDINANCE 2014-18, To Be Entitled: “An Ordinance to Rezone 77.7 Acres from General Commercial (GC) to Specific Development-Variety District (SD-X 12.23/480,000/450) for the Property Located at the Southeast Corner of East McEwen Drive and Carothers Parkway” (Ovation Subdivision).**

Vice Mayor Ann Petersen, FMPC Representative

This is the first of the SD-X projects to come through the process. Staff recommends approval.

7. **Consideration of RESOLUTION 2014-42, To Be Entitled: “A Resolution Approving a Development Plan for the Ovation Subdivision, Including Two Modifications of Standards, Located on a Portion of the Property at the Southeast Corner of East McEwen Drive and Carothers Parkway, by the City of Franklin, Tennessee.”**

Vice Mayor Ann Petersen, FMPC Representative

This Development Plan included three Modifications of Standards for parking, signage, and maximum building length for the SD-X zoned portion. Lowering parking numbers was not approved by the FMPC, and the applicant opted to delay signage until a later time. The second reading and public hearing is scheduled for the July 8, 2014 BOMA meeting.

Vice Mayor Petersen provided history on parking issues, and Aldermen Martin and Barnhill commented as well. Alderman Blanton said that Ovation is trying to provide a walkable community. Nowhere in the City is there too much parking. Aldermen Skinner and Bransford thought it a good idea to see how the lowered parking MOS works.

- 8.* **Consideration of RESOLUTION 2014-49, A Resolution Extending the Interim Position of Deputy Police Chief in the Police Department.**

David Rahinsky, Police Chief

Eric Stuckey related one Deputy Chief position has been filled. The search continues for the other Deputy Chief position; thus, the request to extend the Interim Deputy Chief position of Kevin Teague.

- 9.* **Consideration of Partial Release of Sanitary Sewer Easement Agreement (COF Contract 2014-0104) with Cool Springs Mall, LLC and Dillard Tennessee Operating Limited Partnership.**

David Parker, City Engineer/CIP Executive

Paul Holzen said this is related to the expansion of the Mall and the request is to construct a building on top of a City of Franklin existing sanitary sewer main and easement. To allow for the proposed development, the Mall and Dillard Tennessee request the City abandon a portion of the Easement and Sewer Main to allow it to function as a private sanitary sewer service. Cool Springs Mall and Dillard Tennessee both agreed to take full responsibility for the line. This will be a cost savings for them as well as the City.

10. **Presentation of the Preliminary Design for the 100-Block Battle Avenue Drainage Improvements Project.**

David Parker, City Engineer/CIP Executive

On-going storm related issues in this neighborhood prompted this project. The Capital Investment Committee referred the issue to BOMA for discussion of the proposed options. The specific properties included in the design are 109 through 115 Battle Avenue.

Damage to these properties range from 1' to 3' of water, to water in basements up to the floor joists. To provide relief to these residents, a preliminary engineering study was done. On May 9, 2013 the residents came to the CIC meeting and heard options that were incorporated into the design:

- ◆ Expansion of Existing Detention Basin owned by the self-storage facility at 110 Fairground Street which does not

have an outlet or outlet control structure. The pump station includes one primary pump, without an auxiliary or emergency pump. The recommended alternative for improving drainage and reducing flooding includes expansion of the existing pond approximately 100 feet to the north, which increases available storage to contain stormwater runoff. An auxiliary pump would be installed and drawdown after a rainfall event regulated to ensure that capacity of the of the existing stormwater system. The expanded detention pond would be placed on an isolated parcel of land located behind 1408 Columbia Avenue and 107 Battle Avenue, owned by Ms. Mary Fagan Chester.

- ◆ Additional storage volume of the expanded detention basin would provide enough volume to reduce flooding and drainage issues at all five residences in the 100 Block of Battle Avenue during a 100-year storm event, like the May 2010 Flood, but may still have some flooding impacts to properties in the area. This is mainly because of the downstream stormwater system, and its capacity constraints.
- ◆ Stormwater catch basins/area drains will be installed at the low points near 113 and 114 Battle Avenue to eliminate the roadway ponding/hydroplaning concern. This system will be piped between 113 and 115 Battle Avenue to the City owned alley behind these properties. The Stormwater will then continue being piped along the alley to the expanded detention pond.
- ◆ The backyards of 109 through 115 will be re-graded to allow ponding stormwater to drain towards the alley. A new swale will be created in the alley that will properly convey the backyard stormwater to the expanded detention pond.

The extended pond would be 15-18 ft. deep with walls. There would still be some ponding, but with a 48-hour drawdown time. A chain link fence with barbed wire would be required. Concern with aesthetics prompted a proposal to place landscaping around it.

Alderman Skinner related the flooding has been an issue for years, and those residents say they live in fear of heavy storms. There is poor drainage there and this is an opportunity to do something for those residents.

Alderman Barnhill asked how many parcels there were for a buyout. Mr. Holzen responded there are five properties, money was budgeted for relocation costs as well, for a total of \$1.59 million.

- ✦ Bruce Spaulding, owner of the storage facility at 110 Fairground Street and a licensed engineer with 35 years of experience, asked to voice his concerns about this project. He learned of this plan on May 28th even though he had allowed the City's consultant on his property for a survey. This is his first opportunity for input.

Mr. Spaulding submitted a letter listing his concerns regarding the project:

- The location of the proposed stormwater detention basin is poorly suited for this purpose. There is simply inadequate space and improper topology to construct the size basin required.
- Evidence that the available space is inadequate appears clearly on Exhibit B to the Plan. Since the stormwater detention basin cannot be designed to provide adequate detention volume, the back yards of 109 and 111 Battle Avenue will continue to flood and must be used to detain floodwater during base flood events. The back yards of 109 and 111 Battle Avenue and the abandoned alley behind 113 Battle Avenue actually become part of the stormwater detention basin. I do not believe that the affected property owners will find this provision of the plan agreeable.
- Many trees will be lost as a result of the project. Currently a tree-lined abandoned alley runs along the backs of 105 through 113 Battle Avenue. The visual screen provided by the tree line running along the back boundaries will be obliterated. This will result in an unscreened, direct visual connection to the back of the Fairgrounds Street Mini Storage property and/or the fenced detention basin from the Battle Avenue properties.
- The proposed basin will range 13.5 to 18 feet deep. City of Franklin design guidelines limit maximum basin depth to 10 feet. The top of the stone gabion wall on the northeast side of the pond will be five feet higher than the ground around the homes on the south side of Battle Avenue – about exactly eye level viewed from their rear windows. The proposed structure and its surrounding fence will be a highly visible eyesore.
- The City has not undertaken a geotechnical investigation of the site. The privately owned detention pond, which the City plans to deepen and enlarge, rests on a solid rock ledge. Considerable earthwork is required to build the large detention pond. Rock will have to be removed. The City design guidelines recommend geotechnical slope stability analysis of slopes in excess of 2:1 and embankments with heights greater than 10 feet. Exhibit C shows that the proposed basin has a 17 foot tall embankment with 12:1 slopes. The subsurface conditions remain unknown at this time. Accordingly the construction cost estimates are unreliable. The

alternatives may have less incremental cost difference and could be more feasible.

- Stagnant water will lie in the deep stormwater detention basin fostering the breeding of mosquitoes. The project also creates an ideal feeding and breeding habitat for Williamson County's newest threat, the nine-banded armadillo.

If there were a buyout of the properties there would still be standing water and ponding on the vacant land. Alderman Skinner commented there had been one significant event since 2010 due to a malfunction of the pump at the existing detention pond. Mr. Spaulding responded to this by saying that was untrue. There was never a malfunction, the pump has never failed. It did slow down but it kept running.

Alderman Skinner asked if a survey of the residents could be done. Eric Stuckey said staff has talked to a number of residents, but some can't be reached. There are still elements that can be explored regarding the project. There could be more neighborhood input and another look at the project design.

Alderman Blanton said the Board had assumed the storage facility owner was apprised of this project. Mr. Stuckey related there could be further discussions with Mr. Spaulding.

Alderman Barnhill asked if any of the residents had been displaced or had floor damage. Mr. Holzen responded that in 2010 three properties had damages to a/c systems and floors.

11. Consideration of RESOLUTION 2014-48, A Resolution to Authorize the City of Franklin to Purchase and Install Two (2) Replica Civil War Artillery Carriages.

**Alderman Michael Skinner, Representative
Battlefield Preservation Commission**

Sam Whitson, Sam Huffman, and Sam Gant spoke to the project to replace the concrete pedestals on which the 153 year old cannons rest, with four national park quality field carriage reproductions. The final cost to the City would be around \$20,000 after deducting donations and grants. The organization will find out in July if they get the grant. There have been several donations for the project. They are asking for \$31,000 from the Hotel/Motel Tax Fund. All donations will be given to the City. Donations have come from other states and from the United Kingdom.

Alderman Skinner complimented Mr. Whitson for doing an excellent job and noted it is good this will be done for the Sesquicentennial of the Battle of Franklin.

At Alderman Blanton's request, Mr. Whitson explained how the guns would be safely affixed to the wheeled gun carriages. The Square is the #1 tourist attraction for the City.

12. Consideration of a Request by the Civil War Trust for a One Quarter Match from the City of Franklin to Support a Pass-Through Grant from American Battlefield Protection Program in the Amount of \$62,500.

**Alderman Michael Skinner, Representative
Battlefield Preservation Commission
Michael Grainger, Civil War Trust**

On May 27, 2014, BOMA approved Resolution 2014-46 for the City to act as a governmental pass-through entity for the Eley Tract land acquisition. Additionally, the Civil War Trust requests that the City approve a \$62,500 grant to assist in the Trust's acquisition of the Eley Tract.

Mike Grainer, 248 King David's Court, Civil War Trust Chair and member of the Battlefield Preservation Commission provided details on location of the property and the process involved in acquiring the property. Stacy Watson, Franklin Charge, gave details regarding the appraisal process and how the price was figured.

13. Consideration of Contract Award to Evans Petree PC of Memphis, TN, for Employee Pension Plan Legal Counsel for the Law Department (Purchasing Office Procurement Solicitation No. 2014-017; Contract No. 2014-0129).

Shauna Billingsley, City Attorney

This item came from the Employee Pension Committee. It was bid out and bids were reviewed by a staff review group before going through the Committee. Alderman Barnhill, Pension Committee Chair, noted the new firm is \$20 per hour less than is being paid now.

ADJOURN

Work Session adjourned @ 6:51p.m.

Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - updated 7/1/2014 10:13 AM