

**MINUTES OF THE WORK SESSION
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, AUGUST 26, 2014 – 5:00 P.M.**

Board Members

Mayor Ken Moore	P		
Vice Mayor Ann Petersen	A	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	P
Russell Truell, ACA Finance & Administration	P	Mark Hilty, Water Management Director	P
David Parker, City Engineer/CIP Executive	P	Paul Holzen, Engineering Director	P
Shauna Billingsley, City Attorney		Catherine Powers, Planning & Sustainability Director	P
Rocky Garzarek, Fire Chief	P	Joe York, Streets Director	P
Deb Faulkner, Interim Police Chief	P	Brad Wilson, Facilities Project Manager	P
Fred Banner, IT Director		Lanaii Benne, Assistant City Recorder	P
Chris Bridgewater, BNS Director	P	Linda Fulwider, Board Recording Secretary	P
Becky Caldwell, SES Director			

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 of the First Six Months on Development of Permit Activity Summary.

Lynn Osland, Development Services Operations Analyst

Vernon Gerth, ACA Planning & Community Development

Eric Stuckey introduced Lynn Osland, Development Services Operations Analyst, who was hired in January.

Ms. Osland gave examples of the following:

- Non-Residential Building Permit
- Residential Building Permit
- Residential or Non-Residential Permit Types
- Other Development Taxes & Fees

Building Permit Summary – Permits Issued & Fees Collected 01/01/2014-06/30/2014:

• Total Building Permits issued	552
• Non-Residential (including Multi-Family)	167
• Single Family Homes and Duplexes	385
• Total Building Permit & Review Fees	\$643,325

· Total Additional Fees	\$4,292,351
· Residential (including Townhomes/Duplexes)	\$1,991,719
· Non-Residential (including Multi-Family)	\$2,300,632
· Total Residential Fees	\$2,372,435
· Total Non-Residential Fees	\$2,563,241
· Total Fees Paid	\$4,935,676
· Residential Estimated Valuation of Construction	\$102,387,840
· Non-Residential Estimated Valuation of Construction	\$135,340,966
· Total Estimated Valuation of Building Permits	\$237,728,806

Mr. Stuckey noted there is a steady increase in the pace of development.

Vernon Gerth advised the City upgraded to a new version of Infor for better land tracking, etc. The definitions are the starting point. They are collecting a large amount of information. Going forward, it is important to utilize the data needed in the decision making process.

Mr. Stuckey stated that is working to be data driven in terms of how to serve the community, in developing the strategic plan, and in the benchmarking process. Mr. Gerth asked if the Board wanted to provide reports that are accessible to citizens. Mr. Stuckey added that the reports can be issued quarterly or on demand. Eventually, the reports can be broken down geographically for comparison by Ward.

* Alderman McLendon joined the meeting @ 5:09 p.m.

Mr. Gerth said the reports can be created as often as the Board needs them to make good solid decisions for the community.

4. Presentation of iLegislate Application.

**Vernon Gerth, ACA Planning & Community Development
Lanaii Benne, Assistant City Recorder**

Granicus is the new online program to streamline the agenda, minutes, and meeting process and switch to paperless agendas. The meeting information will be available to BOMA and to the public. Each Board member was given an iPad programed for iLegislate-Granicus for use during meetings as well as whenever they wish to access information from a meeting. Mr. Stuckey recognized Lanaii Benne and Vernon Gerth for their efforts in getting this program in place.

Ms. Benne showed Board members the process in forming an agenda and took them step by step on how to access information on the iPads. Once the agenda is published on the internet, the Board will have access through the iPad. Features available: the ability to write notes, highlight, and circle information. In addition to BOMA meetings and Work Sessions, the Budget & Finance Committee, Capital Investment Committee, and the Beer Board agendas will be in Granicus.

5. Consideration of Event Permit Application for Jingle Bell Run Benefiting the Arthritis Foundation to be Held December 6, 2014 in Downtown Franklin.

Deb Faulkner, Interim Police Chief

No questions or comments

6. **Consideration of Event Permit Application for The Ride to Cure Diabetes Bicycle Ride Benefiting the Juvenile Diabetes Research Foundation to be Held November 1, 2014 in Cool Springs.**

Deb Faulkner, Interim Police Chief

No questions or comments

7. **Consideration of Event Permit Application for Centennial High School Homecoming Parade to be Held September 18, 2014 in the Cool Springs Area.**

Deb Faulkner, Interim Police Chief

No questions or comments

8. **Consideration of RESOLUTION 2014-62, A Resolution Awarding the Construction Contract (COF Contract No. 2014-0032) to Southeast Contractors, Inc., in the Amount of \$3,328,226.00 for the Construction of the Westhaven Fire Station 8.**

Rocky Garzarek, Fire Chief

Four bids were received with the bid award to Southeast Contractors, Inc. in the amount of \$3,309,526 for Fire Station No. 8 at Westhaven. The amount is a little higher than the Facilities Tax by project, but some savings will be realized. The amount of \$3,328,226.00 listed in the caption is the amount of the construction bid with alternates.

Brad Wilson showed drawings of the station, floor plan and elevations. There will be 4 sleep rooms with 3 beds per room for the staff of 12. The apparatus bay doors are accordion doors which open faster and look a little different than most other stations. LEED qualifications will be met; however, the City has opted not to pay the cost to have it LEED certified. The design will be used for Station No. 7 as well, and is similar to Station No. 6.

Guidance was requested on one add alternate, a covered patio/porch element requested by the developer of Westhaven and their Design Review Committee at a cost of \$18,700. Previous direction from the Board had been to build basic stations. Should the City pay for this alternate. The bid will be awarded in two weeks.

Discussion:

- Alderman Barnhill: In the past developers paid for add-ons.
- Alderman Bransford: If the City pays for this porch, others may want a porch as well.
- Alderman Martin: The land for the fire station was donated as well as the stub-outs.
- Alderman Barnhill: That was all part of the approval in 2002. It would set a precedent if the City paid for the porch.
- Alderman Burger: What is the purpose of the porch? Is it functional? Could it be used by the community?
- Response: The porch is purely aesthetic, basically an overhang for sitting. Approximately 10' wide X 18-20' length.
- Chief Garzarek: The outdoor spaces at the stations are mainly behind the facilities. The design has an outdoor staff area behind this facility as well.

The consensus was the developer should pay for the porch.

9. **Discussion of Annexation and Plan of Service for the Adams Property Located South of Murfreesboro Road and West of Ridgeway Drive.**

Catherine Powers, Planning & Sustainability Director

Catherine Powers said this is just the beginning of the process for a request to annex 11 acres for 22 detached single-family homes, and a Plan of Services. The property adjoins the

City limits within the eastern part of the UGB. 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 Developer shall be responsible for the following:

- Extending the City's gravity sanitary sewer system to adjacent properties that will naturally drain through the property.
- All costs associated with engineering, design and construction of the necessary sanitary sewer infrastructure for the development.

The Developer shall be required to provide the following:

- Engineering, Design and Construction of all necessary roadway infrastructure for the development.
- Connection to Ridgeway Drive.
- Cost of a traffic impact study to evaluate the intersection of Ridgeway Drive and Murfreesboro Road.
- Cost of necessary turn lane, including additional right-of-way. Not eligible for Offsets of the City Road Impact Fee.
- Construction of five (5) foot sidewalks along the Frontage of Murfreesboro Road and Ridgeway Drive.

There was some discussion about the need for sidewalks because they wouldn't go anywhere. It was pointed out that they will be used within the development and in future developments. The placement of sidewalks has yet to be determined.

Greg Gamble of Gamble Design Collaborative and Steve Bethel of Vertex Development were present. Mr. Gamble noted this will be discussed at the September Joint Planning Commission/BOMA Workshop, and they will be there as well. They have reduced the number of dwellings to 19 with bigger lots. Sewer is now available and they will talk about the transitioning at the Workshop. The Traffic Analysis should be ready by then as well.

Ms. Powers commented that staff hasn't had a chance to review the Traffic Analysis. Mr. Stuckey pointed out this is an up-front part of the process. BOMA will direct if this is to go forward. The Development Plan, annexation, and zoning will come back to BOMA for final approval.

- 10. Consideration of Bid Award to Neely Coble Co., Inc. of Nashville, TN in the Total Amount of \$106,627 for One (1) Dump Truck for the Stormwater Division of the Streets Department (Purchasing Office Procurement Solicitation No. 2015-005; \$90,000 Budgeted in 135-89520-43120 for Fiscal Year 2015; Contract No. 2014-0215)
Joe York, Streets Director**
- 11. Consideration of Bid Award to Neely Coble Co., Inc. of Nashville, TN in the Total Amount of \$59,518 for One (1) Landscape Truck for the Maintenance Division of the Streets Department (Purchasing Office Procurement Solicitation No. 2015-006; \$48,000 Budgeted to be Financed by Means of Fiscal Year 2015 Master Lease Arrangement; Contract No. 2014-0216).
Joe York, Streets Director**
- 12. Consideration of Bid Award to Neely Coble Co., Inc. of Nashville, TN in the Total Amount of \$66,577 for One (1) Landscape Truck for the Parks Department (Purchasing**

Office Procurement Solicitation No. 2015-007; \$68,000 Budgeted to be Financed by Means of Fiscal Year 2015 Master Lease Arrangement; Contract No. 2014-0217).

Lisa Clayton, Parks Director

Items 10, 11, and 12 taken together. No questions or comments.

13. Discussion of the Engagement of a Financial Advisor to Assist in the Negotiations with DEPPFA Bank to Novate an Existing Swap Agreement and Replace DEPPFA as Standby Credit Provider for the 2007 Franklin Public Building Authority Bond Issue.

Russ Truell, ACA Finance & Administration

Discussion:

- Alderman McLendon said he was confused by the last three presentations on this issue.
- Eric Stuckey responded that it is to engage an Independent Advisor for novation of an existing Swap Agreement and replace DEPPFA bank.
- Aldermen McLendon and Martin agreed if DEPPFA isn't working out selection of an advisor should be done by qualified staff who understand this.
- Russ Truell indicated that is the bottom line. For the record, our PFM advisor is a fiduciary and is required to tell the Board all the options. Some of the aldermen had requested to go over all the figures and options. An independent Swap Advisor must be engaged, along with bond counsel, and PFM.
- Three proposals were recommended and following investigation the recommendation is to hire the PFM division involved in swaps. Permission is needed to give the City Administrator authority to go ahead with that firm and keep this going forward.

The PFM DEPPFA Refunding Options – Expanded included in the agenda packet.

14. Discussion of Vacation Rentals by Owner (VRBO).

Chris Bridgewater, BNS Director

Molly Pike, Zoning Administrator

Mr. Stuckey explained there is nothing in the Zoning Ordinance that permits Vacation Rentals by Owner (VRBO). Staff seeks BOMA input.

There are three options to consider:

1. Enforce the Zoning Ordinance and not allow dwellings to be rented on a short-term transient basis.
2. Update the Zoning Ordinance and use table and definitions to support this activity without active regulation.
3. Update the Zoning Ordinance to provide for active regulation and enforcement of VRBOs with permits.

If the Board determines that VRBOs should be a permitted use, staff recommends option 2 which would entail minor Zoning Ordinance revisions and the requirement of a Certificate of Use and Occupancy for this new use.

Discussion:

- Alderman Burger: Not interested in regulating anything else. Probably need to put it in the Zoning Ordinance and require a permit and tax payment.
- Eric Stuckey: Transient lodging is subject to tax.
- Alderman Blanton wrote an article on VRBOs for Southern Exposure Magazine and said the owner of that VRBO was present at this meeting. Alderman Blanton thought they should be allowed, but not with too many levels of jurisdiction. No regulation.

- Alderman Bransford asked how VRBOs compare to Bed and Breakfast establishments.
- Molly Pike indicated that is different. At the very least, define the zoning districts in which they are permitted.
- Alderman McLendon: There have been no complaints. He likened VRBOs to someone is going to be gone and they allow someone else to stay there during that time or people swapping residences. No need for regulation. That it is not a permitted use is a structural flaw in regulations. It should be, if we don't say you can't, then you can. If and when it becomes a problem with neighbors, say thank you for letting us know. At most, look at existing regulations on B & Bs.
- Mr. Stuckey: It is not about the tax. They exist and it should be documented that it is okay.
- Chris Bridgewater: The County is pursuing this for Hotel/Motel Tax so they can get the money. Just a line in the table that it is permitted and all the regulations apply is all that is needed.
- Damon Rogers, 431 Boyd Mill Avenue, aforementioned owner of the VRBO featured in the magazine, came forward to speak. She and her husband formed a partnership, got a RS number, a State business license, and a County business license. They pay the taxes every month. They subsequently received a letter from the City of Franklin and procured a license from the City. Taxes paid monthly: 9.25% State, 4% County, and 4% City. She would like to see all VRBOs pay their share the same as those who are doing this legally.
- Lawrence Sullivan, Assistant City Recorder of Revenue, said the City needs the ability to say yes, you can pay us to issue a business license.
- Alderman Skinner recommended pursuing Option 2, develop the regulation and make it legal.
- Mr. Stuckey indicated staff will look at the regulations for Bed & Breakfast and add VRBO as a permitted use with the same zoning as a Bed & Breakfast.

15. Discussion of an Ordinance to Amend the City of Franklin Municipal Code, Appendix A – Comprehensive Fees and Penalties, Chapter 12, Relating to Construction Permit Fees.

Chris Bridgewater, BNS Director

Lynn Osland, Development Services Operations Analyst

Mr. Bridgewater and Ms. Osland presented a streamlined new detached residential permitting fee schedule. Current Building, Electrical, Mechanical and Plumbing Permit Fees are calculated and issued separately. The proposed \$.48/square foot fee combines Building, Electrical, Mechanical, and Plumbing Permits into one. The proposed fee is revenue neutral to City and cost is neutral to the applicant. Ms. Osland calculated the proper fee and provided stats for same.

• Alderman McLendon left the meeting @ 6:32 p.m.

Additional adjustments to the Fee Schedule include:

- Fee to account for After Hours Inspection services commonly requested by contractors has been added.
- Technology Fee is proposed for each permit in order to make improvements that will benefit all permit applicants. Examples of the way the revenue from this type fee would be used including making permit processes available online, deploying technologies that give inspection results as they are performed, and making purchases for needed computer equipment upgrades.

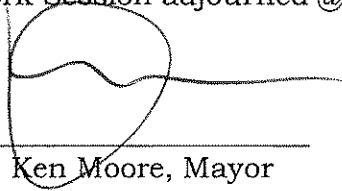
- Clarification on how to handle additional plan review fees also proposed. Currently, the Municipal Code states that plan review fees cover one initial review and one re-review. This would imply that additional reviews would be charged the full plan review fee. Charging 50% of the initial fee for each additional review would allow applicants to pay for only the plan review services they are receiving for additional reviews.

Alderman Blanton asked to keep the process user friendly for those who aren't technology savvy and may not be comfortable going through the process online.

Mr. Stuckey advised a One-Stop-Center is planned for City Hall, to accommodate those who prefer to interact person-to-person.

ADJOURN

Work Session adjourned @ 6:38 p.m.

A handwritten signature in black ink, consisting of a large, stylized 'K' followed by a horizontal line extending to the right.

Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - updated 9/8/2014 12:09 PM