
MEETING MINUTES
CAPITAL INVESTMENT COMMITTEE
CITY OF FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
THURSDAY, JANUARY 14, 2010, 4:00 PM

Committee Members

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| Alderman Dana McLendon, Chair | A |
| Alderman Clyde Barnhill, Vice Chair | P |
| Alderman Pearl Bransford | P |
| Alderman Margaret Martin | P |

Other Attendees

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| Eric Stuckey, City Administrator | P |
| Russell Truell, ACA Finance & Administration | P |
| David Parker, City Engineer/CIP Executive | P |
| Eric Gardner, Engineering Director | P |
| Mark Hilty, Water Management Director | P |
| Joe York, Streets Director | P |
| Mayor John Schroer | P |
| Alderman Ann Petersen | P |
| Alderman Mike Skinner | P |
| Lanaii Benne, Assistant City Recorder | P |
| Linda Fulwider, Board Recording Secretary | P |

1. Call to Order

Alderman Barnhill, Vice Chair, called the meeting to order at 4:00 p.m.

2. Approval of Minutes

Alderman Bransford moved to approve the December 10, 2009 meeting minutes as presented. Seconded by Alderman Martin. Motion carried unanimously.

**3. Consideration of Sanitary Sewer Service Availability for 3105 Boyd Mill Pike, Tax Map 64, Parcel 26.00
David Parker, City Engineer/CIP Executive**

Mr. Parker referred to the memo in the agenda packet. The property intersects with 96W and is not in the City at the present time. A site plan/conditional use request is anticipated for consideration at the Williamson County Planning Commission meeting for a veterinarian clinic at 3105 Boyd Mill Pike. The applicants, Aubrey Preston and Dr. Michelle Preston, are in the process of purchasing this property that is within the UGB adjacent to the City limits. The County Sewage Disposal Management Department requires a formal request for sanitary sewer service be presented to the City. The single-family dwelling on the property is served by an undocumented septic system. Sewer availability is in the adjacent Westhaven Subdivision.

The City Land Use Plan shows the parcel is to remain residential. County regulations allow a veterinarian clinic as a Conditional Use. Board policy has required properties located outside City limits to request annexation when requesting sewer availability, although exceptions have been made. A formal request has not been made; however, the applicants request this Committee consider the availability request so they may understand City requirements prior to closing on the property.

Eric Stuckey related the property owners want to develop the property and are willing to commit to annexation no later than five years out. The sweeping policy currently in place hasn't been well received. This is an opportunity to work with the future resident. Septic systems become health issues and it would be good to ban them altogether. The County is willing to have the septic system expanded to develop the property. The County conditions would still apply even if the property were annexed by the City.

Alderman Martin stated she had done some research and had talked with the Preston's; however, she will not vote for sewer at this time. Her preference is to annex and then extend sewer.

Alderman Bransford requested the applicants come forward to share their ideas and concerns. Mr. Preston related that the small animal clinic would be an asset. Dr. Preston does a lot of work with animal rescue. They live in Leipers Fork and believe the Boyd Mill site is ideal for the clinic with the close proximity to Westhaven. The property is surrounded by the City. They want to be on sewer as it is environmentally a better choice. He remarked that the citizens of Westhaven want the clinic. It would be preferable if they could get approval for sewer subject to annexation within a set timeframe. That way they could get in and establish use, perhaps in one year, and then be annexed. The City would still have control on the land use.

Attorney Bryan Echols entered the discussion. Alderman Bransford asked if it is non-conforming, what would happen if they were to give up the business in five years. Mr. Gerth noted if the property were vacant for one year it would have to comply with residential zoning.

The consensus was to send this item to the January 26 work session for the full board to discuss.

David Parker noted three options in the memo, with Option 2 being the old policy that allows sewer without annexation. There has been some discussion about changing back to the old policy.

Dr. Preston noted some urgency as the deadline with the county is tomorrow morning at 10:00 a.m. Jack Walton, County Commissioner who serves on the County Planning Commission mentioned the seller of the property has a timeline of February 26. Per State law, if sewer is available the property owner must connect. As previously noted, the Preston's are willing to be annexed. They won't need the property if they cannot get sewer; therefore, they are looking for a yes or no answer for the County deadline tomorrow and the February deadline.

Alderman Barnhill moved to recommend Option 2 to BOMA: Grant sewer availability, but allow the property to remain in the County and be used in accordance with Williamson County standards and the pending Conditional Use Permit. If the property later is annexed, any future owner could not claim a use greater or broader than that given by the county's Conditional Use Permit, so those restrictions would follow the property. Should the Board find this approach acceptable, staff recommends the sewer availability be conditioned that the property is annexed no later than January 1, 2015 or sooner if the City so chooses. In this scenario, the veterinarian use would annex into the City as a legally non-conforming use and could continue operating in perpetuity as long as no additional land area or activity contrary to the Conditional Use is added to the site. Seconded by Alderman Bransford. Motion carried 2-1 with Alderman Martin voting nay. Forward to February 26 Work Session and BOMA meeting. Mr. Walton indicated he would report the outcome of the recommendation to the County, noting it has yet to be presented to BOMA.

4. Consideration of RESOLUTION 2010-08 to Authorize Condemnation for the Acquisition of Properties Required for the Construction of the South Carothers Road Improvements

David Parker, City Engineer/CIP Executive

This is a standard resolution for authorization to condemn (should it be necessary).

Alderman Bransford moved to recommend Resolution 2010-08 to BOMA. Seconded by Alderman Martin. Motion carried unanimously.

5. **Consideration of Change Order No. 1 to the Construction Contract for the Carlisle Lane/Boyd Mill Water Construction Project with McMillan Construction Company, LLC for an Increase in the Contract Price of \$5,990.00 for a New Total Contract Amount of \$185,562.00**

David Parker, City Engineer/CIP Executive

The Change Order is for additional pavement repair and replacement of a 2" shared water line service with two ¾" service lines.

Alderman Martin moved to recommend Change Order 1 to BOMA. Seconded by Alderman Bransford. Motion carried unanimously.

6. **Consideration of the Professional Services Agreement (COF Contract No. 2010-0004) with Smith Seckman Reid, Inc. (SSR) for the Resident Project Inspection Services for the ARRA Funded Clean Water Projects (COF Contract No. 2009-0098 & 2009-0099) in an Amount Not to Exceed \$163,000**

David Parker, City Engineer/CIP Executive

More services are being done in-house: however, due to the complexity of some of the ARRA requirements, it would be prudent to hire an outside consultant.

Alderman Bransford moved to recommend the PSA with SSR to BOMA. Seconded by Alderman Barnhill. Motion carried 2-0 with Alderman Martin recused.

7. **Consideration of the Road Impact Fee Offset Agreement (COF Contract No. 2009-0040) with Crescent Resources in the Amount of \$97,266.00 for Dedication of Right-of-Way and Easements for the McEwen Drive Phase III Project**

David Parker, City Engineer/CIP Executive

ROW and easements are being acquired. There is one 0.85 acre parcel on the northeast corner of the intersection of Carothers Parkway and McEwen Drive that was declared surplus property. Staff proposes to swap this parcel with Crescent Resources to offset some of the cost of acquiring 1.73 acres of ROW. Other than a small change it is the standard agreement.

Alderman Martin moved to recommend the agreement to BOMA. Seconded by Alderman Bransford. Motion carried unanimously.

8. **Consideration of Requests by Synergy Bank Regarding their Site Construction and the Columbia Avenue Streetscape Project**

David Parker, City Engineer/CIP Executive

Eric Gardner related the Bank has two requests:

- A permanent Easement Agreement between the Transit Center (City of Franklin) and Synergy Bank (Columbia Avenue Partners, LLC), located at 708 and 722 Columbia Avenue respectively, which allows the placement of the Synergy Bank Fire Line Meter Vault upon Transit Center property.
- An agreement between the Transit Center (City of Franklin) and Synergy Bank, Located at 708 and 722 Columbia Avenue respectively, which allows the addition of a Streetscape monument business sign upon Transit Center property.

A bank representative said the building was redesigned to save a tree on the property. There is no room for a monument sign; it will be built as part of the Streetscape Project. Mr. Parker noted it needs to be part of the agreement that the bank is paying for the sign.

Alderman Bransford moved to recommend to BOMA. Seconded by Alderman Martin. Motion carried unanimously.

9. **Consideration of an Amendment to the Professional Services Agreement (COF Contract No. 2009-0021) with Smith Seckman Reid, Inc. (SSR) to Add the Resident Project Inspection Services for the Fieldstone Farms Pump Station No. 2 Upgrades (COF Construction Contract No. 2009-0089) in an Amount Not to Exceed \$72,000.00 (This cost is reimbursable from Williamson County as per Agreement)**

David Parker, City Engineer/CIP Executive

The City does not have inspectors available for inspections. Staff recommends a PSA with SSR for these inspections. The cost is not expected to be excessive. The County will reimburse the City.

Alderman Bransford moved to recommend to BOMA. Seconded by Alderman Barnhill. Motion carried 2-0 with Alderman Martin recused.

10. **Consideration of the Request for Water Availability for 414 Lake Valley Drive**

David Parker, City Engineer/CIP Executive

Mr. Parker noted this is a standard request for water. The property is in the Hillsboro Road area outside Franklin city limits but within the City's water service area.

Alderman Bransford moved to recommend to BOMA. Motion carried unanimously.

11. **Consideration of Award of Construction Contract (COF Contract No. 2009-0086) to L&C Contractors, Inc. in the Amount of \$434,185.90 for the Carter Street Area Water and Sewer Upgrade Project**

David Parker, City Engineer/CIP Executive

The existing water and sewer infrastructure in the Carter Street area will not effectively meet the needs of the proposed Habitat for Humanity development and the existing development. BOMA approved the design in December 2008. Staff recommends approval of the upgrade at a cost of \$434,185.90 to be paid out of the Water and Sewer Fund.

Alderman Bransford moved to recommend to BOMA. Seconded by Alderman Martin. Motion carried unanimously.

12. **Report on the 11th Avenue and West Main Street Intersection Parking Prohibition Study**

David Parker, City Engineer/CIP Executive

Eric Gardner said that periodically over the years there are complaints regarding the sight distance at the intersection of Eleventh Avenue and West Main Street. Carl Baughman reported on his survey and discussions with residents in that area.

Eric Stuckey stated that intersection study is recommended as a part of the Central Franklin Plan. A study is needed with counts, field investigation, accident investigation, etc., and could be conducted by staff. Mr. Gardner commented if the design became complicated it may not be possible to do it in-house.

Mr. Stuckey said the Eleventh Avenue south (between Natchez and West Main) parking issue will be on January 26 Work Session agenda.

Mr. Baughman noted two shortcomings of the intersection; there are no left turn lanes and the offset of Eleventh Avenue on two of West Main. A partial parking ban may still be needed to accomplish the turn lanes. Mr. Parker commented that no action has been taken on parking because it is important to look at the entire issue. All options should be kept open at this time. There are many things to be considered.

13. Report on the Nighttime Flash Operations at Selected Traffic Signalized Intersections in the City

David Parker, City Engineer/CIP Executive

After analyzing the situation, staff suggested Option 1 – Expand both the locations and hours of nighttime flash – 11:00 p.m., instead of midnight (adds 129 intersection-hours per night).

14. Status Report on the Board's Priority Projects' Schedules

David Parker, City Engineer/CIP Executive

This item was presented to the Board Tuesday night. A copy of the memo is filed with the minutes.

ADJOURN

Alderman Bransford moved to adjourn with a second from Alderman Barnhill. Motion carried unanimously.

Meeting adjourned @ 5:12 p.m.

Clyde Barnhill, Vice Chair

Minutes prepared by Linda Fulwider, Board Recording Secretary, City Administrator's Office - 3/10/2010 11:00 AM