
**MINUTES OF THE WORK SESSION
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, MAY 11, 2010 – 5:00 P.M.**

Board Members

Mayor John Schroer	P	Alderman Dana McLendon	P
Alderman Clyde Barnhill	P	Alderman Ken Moore	P
Alderman Pearl Bransford	P	Alderman Ann Petersen	P
Alderman Beverly Burger	P	Alderman Michael Skinner	P
Alderman Margaret Martin	P		

Department Directors/Staff

Eric Stuckey, City Administrator	P	Eric Gardner, Engineering Director	P
Vernon Gerth, ACA Community & Economic Development	P	Shirley Harmon, HR Director	P
Russell Truell, ACA Finance & Administration	P	Mark Hilty, Water Management Director	P
David Parker, City Engineer/CIP Executive	P	Gary Luffman, BNS Director	P
Shauna Billingsley, City Attorney	P	Catherine Powers, Planning/Sustainability Director	P
Rocky Garzarek, Fire Chief	P	Joe York, Streets Director	P
Jackie Moore, Police Chief	P	Brad Wilson, Facilities Project Manager	P
Fred Banner, MIT Director	P	Lanaii Benne, Assistant City Recorder	P
Becky Caldwell, Solid Waste Director	P	Linda Fulwider, Board Recording Secretary	P
Lisa Clayton, Parks Director	P		

1. Call to Order

Mayor John Schroer called to order the Work Session of the Board of Mayor and Aldermen, City of Franklin, Tennessee, on Tuesday, May 11, 2010 at 5:00 p.m. in the City Hall Boardroom.

Mayor Schroer said Eric Stuckey has commended staff and department heads for the hours and hours of work during the flood emergency and cleanup efforts. The Mayor and Mr. Stuckey were in continuous conversation during this time as well. Mayor Schroer commended Mr. Stuckey saying he performed admirably, as he knew he would, during this crisis.

2. Citizen Comments

None

WORK SESSION DISCUSSION ITEMS

3.* Status Report on May, 2010 Flood

Eric Stuckey, City Administrator

Mr. Stuckey addressed key components as being the response by City staff, people behind the scenes, and people on the streets working hard during the flood crises. He thanked the Mayor

for the kind words but indicated the people seated behind him (directors and staff) were the ones out doing the work.

Alderman Burger mentioned that she and Aldermen Moore, Skinner, and Petersen were out helping on Friday and she heard glowing reports and praise from constituents on the response from Solid Waste, Planning, Codes, the City Administrator, and all City workers who were helping during the flood and continue to do so in the aftermath. Not one negative comment was heard.

Mr. Stuckey went on to say the event itself exceeded a 1,000-year storm. A total of 14.85 inches of rain was measured at the wastewater plant. On Sunday morning May 2, at 9:15 the Harpeth River crested at 35.14 ft. This exceeded a 100-year flood.

There were over 1,900 non-emergency calls at the emergency center and nearly 200 911 calls within the Saturday/Sunday timeframe. Last week overtime was at 2,700 hours, with the largest area in the initial storm response being 1,285 overtime hours in the Fire Department. Many came in and worked 48-hour shifts. A large amount of overtime during this past week and weekend will be in Solid Waste from collecting debris. Parks, Streets, and Water participated with use of equipment as well. It has been a team effort in sharing resources, both people and equipment.

Knoxville sent two knucklebooms that were operated by City staff and Sevierville provided a dump truck and an operator. Debris was being picked up as quickly as possible. Hours incurred are being tracked on a daily basis, and this will play into FEMA reimbursement.

Direct costs the City incurred in responding in the initial week are just under \$11,000. Equipment was purchased, including Chief Garzarek and the fire crew purchase of all the boats at Academy Sports. Damage to City property is just under \$175,000 with the largest damage in City parks (about \$133,500); Fieldstone and Pinkerton had the most damage. Assessments continue.

Much of the work was with initial street closures; 38 streets were closed with varying durations of 4 to 68 hours. That alone was a big effort to be there and maintain safety, and maintain communication between Streets, Fire, and Police personnel. Street Department personnel are to be commended for making sure people were safe.

It is estimated water rescue of some sort was performed for 398 people. A number of rescues were mutual aid into Brentwood and the County. The largest number moved out of one area was approximately 200 people from Fieldstone Farms. Approximately 63 people were rescued from River Landing, and around 43 people from Ewingville Drive.

The clean up and recovery focus is on solid waste collection. From Monday of last week through today (May 11) 824 tons of flood debris has been collected. The damage assessment

process continues by teams of building inspectors. More than 700 structures have been assessed with a rough estimate of \$14.5 million total damage. Of those 700 structures, 350 sustained damage with 300 being single-family dwellings, and 50 non-residential.

Official actions include waiving the building permit fee for flood related repair. Mr. Stuckey encouraged citizens to call the Building and Neighborhood Services Department @ 794-7012 to get assistance. A water emergency had been declared and a letter received today from TDEC lifts the water restrictions in our area. The Water Department was diligent though there was limited access to the wastewater plant. Wastewater flow was at a high of about 35 MGD and is now back to a 13 MGD flow. Water tanks are full and operating. Two (2) MGD is being treated at our plant and we are receiving what is needed from Harpeth Valley, approximately 4 MGD.

Alderman Bransford asked the number of displaced families. Gary Luffman estimated at least 200 homes are not livable and need repair prior to being occupied again.

Alderman Barnhill asked how it was possible to treat the 35 million gallons of water that rushed through the system. Mark Hilty explained storm inflow and infiltration into collection hydraulics, and how it is maintained during storms. All gravity systems are designed to handle inflow and infiltration through the design process. They were able to maintain clarification, filtration, and ultra-violet treatment. The retention time in basins for biological treatment was shorter, but they were able to keep everything safe. Mr. Hilty commended the operators on a fantastic job.

The following resolutions will be voted upon at the 7:00 p.m. BOMA meeting:

- 1) RESOLUTION 2010-31: A Resolution Authorizing Free Building Permits for Structures Damaged by the May 2010 Flood
- 2) RESOLUTION 2010-32: A Resolution Terminating the Water Shortage Emergency Status 2 Related to the May 2010 Flood
- 3) RESOLUTION 2010-33: A Resolution Authorizing the City Administrator to Use Discretion Regarding the Implementation of The Franklin Municipal Code as it Pertains to City Utility Customers Impacted by the May 2010 Flood
- 4) RESOLUTION 2010-34: A Resolution Adopting a Plan of Action Regarding Residential Displacements for the Extension of State Route 397, Mack Hatcher Parkway, Impacted by the May 2010 Flood

4.* Consideration of RESOLUTION 2010-29, A Resolution Declaring the Intent of the City of Franklin to Act as a Governmental Pass-Through Entity for Certain Land Acquisition Projects as Requested by the Civil War Preservation Trust

Catherine Powers, Planning/Sustainability Director

Steve Alley, Interim Preservation Planner

Ernie Bacon, Preservation Trust, was present to recommend passage of this resolution as required in the grant process. The properties are on Columbia Avenue and Claiborne Street.

5. **Presentation on Integrated Water Plan**

Mark Hilty, Water Management Director

Mark Hilty introduced Zach Daniel and Kirk Westphal from CDM. They provided an update and noted two stakeholder meetings and a technical meeting have been held.

STAKEHOLDER OBJECTIVES	
Objective	What the Objective Considers
Meet current and future demands for water and wastewater reliability	<ul style="list-style-type: none"> • Drought protection for water supply • Wastewater system capacity • Interconnectivity with other water systems • Interconnectivity of wastewater systems
Provide safety and security of water resources systems	<ul style="list-style-type: none"> • Reduction of failing septic systems • Flood safety • Security of water supply and facilities
Maximize efficiency of water use and value of water resources	<ul style="list-style-type: none"> • Reduction of wasteful water use practices • Beneficial reuse of wastewater (recycled water) • Beneficial use of stormwater (e.g., water supply, environment, recreation)
Improve water quality and ecological health of Harpeth River and watershed	<ul style="list-style-type: none"> • Water quality of receiving waters • Improvements in aquatic and terrestrial habitats
Provide improved access and aesthetics of Harpeth River	<ul style="list-style-type: none"> • Greater access to Harpeth River for recreation • Harpeth River brought back to more “natural” appearance
Minimize carbon footprint of water resources operations	<ul style="list-style-type: none"> • Greenhouse gas emissions from all water resources operations (energy needed for pumping, treatment, distribution)
Achieve sustainable biosolids management	<ul style="list-style-type: none"> • Reuse of biosolids • Sustainability of disposal methods
Achieve regional acceptance	<ul style="list-style-type: none"> • Achieving regional water resources goals • Identification of partnerships
Provide excellent level of water/wastewater utility services at reasonable cost	<ul style="list-style-type: none"> • Total lifecycle costs of all water resources investments and operations • Rate impacts to customers • Secondary drinking water quality standards (taste, odor, clarity)

Objectives	Performance Measures	Quantitative	Qualitative
Meet current and future demands for water and wastewater reliably	% of time all water demands met	•	
	Average magnitude of deficits (all uses)	•	
	% of time essential water demands met	•	
	Average magnitude of deficits (essential uses)	•	
	Volume of supply redundancy	•	
	Volume of wastewater capacity surplus or shortfall	•	
Provide safety and security of water resources systems	% of total wastewater on septic	•	
	Change in 100 year flood elevation		•
	Vulnerability of infrastructure and facilities		•
	Emerging water quality concerns		•
Maximize efficiency of water use and value of water resources	% demand reduction	•	
	% reduction in unaccounted for water	•	
	% reduction in inflow and infiltration		•
	% total reuse demand satisfied	•	
	Volume of stormwater put to beneficial use	•	
Improve water quality and ecological health of Harpeth River and watershed	Frequency of low flow < historical Sept. median flow	•	
	Average summer nitrogen load (lb/day)	•	
	Average summer BOD load (lb/day)	•	
	Ecological indicators		•
	Negative impacts of stormwater reduced		•
Provide improved access and aesthetics of Harpeth River	Feet of bank stabilization	•	
	% of streamflow that is WWTP effluent	•	
	Erosion potential		•
	Public accessibility		•
Minimize carbon footprint of water resources operations	Annual average energy requirements	•	
Achieve sustainable biosolids management	% of total biosolids handled sustainably	•	
Achieve regional acceptance	Number of cooperative agreements proposed	•	
	Sphere of positive influence (population)	•	
	Likelihood of public acceptance		•
Provide level of services for water resources at reasonable cost	Life-cycle cost of projects and policies	•	
	Combined % change in water and sewer rates	•	
	Meet secondary drinking water standards (taste, odor, etc.)		•

Alderman Petersen referred to page 2 of the objectives and noted “change in 100 year flood elevation” is marked as qualitative and she thinks it is quantitative as well. Mr. Daniel responded that ultimately it would be both. Alderman Martin asked if they thought the 100-year flood elevation would be changed. Mr. Westphal responded FEMA now has data and they expect the letter of map from FEMA to be based on this. Mark Hilty added the rainfall was above the 100-year flood plain; those out of the 100-year plain may still be out.

Alderman Bransford asked about the timeframe. Mr. Westphal responded there would be another stakeholder meeting the first week of June and a workshop on August 4th with finalization following. A status update for the public will be in September. Alderman Petersen expressed interest in knowing when a public forum for comments would be. Alderman Moore thanked the consultants for their great work and commented it was important to come forward now to assure BOMA is on board. He encouraged Board members to contact him with comments they may have on the objectives. Mr. Daniel gave a rundown of those involved in the Plan including utilities, environmental groups, and an environmental professor from Vanderbilt to provide technical review, regulators, citizens, and City staff.

Alderman Skinner asked how the grant for the low head dam removal coincides with the Plan. Eric Stuckey advised the consultant would be brought in with that as well. An agreement is being drafted as to how all parties would come together to use the grant and what the impact would be on the system. Much of this information is on the Water website. Contact Mark Hilty or the consultants with questions.

6. Sustainability/Grant Coordinator Six-Month Progress Report

Vernon Gerth, ACA Community & Economic Development
Andrew Orr, Sustainability Grant Coordinator

Vernon Gerth noted Mr. Orr is a resource to residents, business partners, and colleagues and is moving Franklin forward with Alderman Ken Moore’s vision of Franklin as one of the top 25 cities in sustainability.

Mr. Orr provided a power point presentation:

- Sustainability Initiatives
 - Permanent Sustainability Commission
 - Task Force still Engaged
 - Curbside Recycling
 - Greenways & Open Space Plan
 - Live Green Partnership
 - Regional Bus Service to Nashville
 - ICLEI – Local Governments for Sustainability
- Sustainability Initiatives *In progress*
 - Analysis of Government Operations
 - Electricity, fuel, natural gas usage
 - Examining Purchasing Practices
 - Energy Star
 - LEED for Municipal Projects
 - Food Composting

- Efficient Lighting @ Jim Warren Park
- Incentives for Private Sector
- Participating in the EV Project
- Updates to Website
- Sustainability: What Lies Ahead
 - Annual Update to Sustainable Community Action Plan
 - Incorporating Sustainability into Purchasing Decisions
 - Community-Wide Energy Usage Inventory
 - Incentivizing best Management Practices
 - Bicycle Racks
 - Preferred Parking Program for EV and Hybrids
 - Sustainability Factors in Zoning Ordinance
 - Community Engagement and Partnerships
- Grants
 1. Identifying Grant and Funding Opportunities
 2. Listing Projects that could qualify for Grant Assistance
 3. Establishing Potential Partnerships
- COF Awarded \$7.5 Million in ARRA Funds (Stimulus)
 - \$518,000 for sports lighting upgrades at Jim Warren Park
 - \$75,000 for Sustainability/Grant Coordinator
 - \$46,000 for Police Training
 - Other ARRA Funding through TDEC & TDOT Administered through Engineering and Water Department
- Grants Submitted Since November 2009
 1. TOC – Bike Racks
 2. Parks – Trail Network at Harlinsdale Park
 3. MIT – Google Fiber Optics Project
 4. Planning – Public/Private Energy Efficiency Grant
 5. Fire – RADD 57 Devices
- Upcoming Funding/Grant Opportunities
 1. EV Project – Creating a charging infrastructure in Franklin
 2. Sustainable Communities Grant – through partnerships
 3. Tennessee Historical Commission – Restoration
 4. Land and Water Conservation Fund – Parks Department
 5. Federal Funding for Fire Departments
- Outreach/Coordinating
 - Live Green Kickoff, Arbor/Earth Day
 - TREEDC June 8th – Mayors from across the State
 - STAR Community Index
 - Forming Partnerships with local organizations
 - Raising Awareness through website, media
 - Responsive to Citizen Inquiries
 - Participating in KWB Environmental Leaders Class

Mr. Orr related he is always available to discuss initiatives in further detail. He mentioned not all the grants submitted were awarded. (Full report filed with the minutes)

Alderman Petersen said in light of the flood, the City should look at sustainable plantings in landscaping. Alderman Bransford mentioned follow up on the census is important, as there could be additional funds available. Mr. Stuckey advised that would be addressed later. Alderman Moore said the buzz around Tennessee is about what Franklin is doing. A group is scheduled to come to Franklin on June 8 to see for themselves.

7. **Consideration of Proposed ORDINANCE 2010-34, To be Entitled: "An Ordinance to Create Title 2, Chapter 4 of The City of Franklin Municipal Code Relating to the Creation of The Battlefield Preservation Commission"**

Mayor John Schroer

Mayor Schroer related the current Battlefield Task Force is unstructured and it is important to develop structure and outline duties. The Task Force agreed and they are pleased to have this opportunity.

- 8.* **Consideration of the First Amendment to the Middle Tennessee Electric Membership Corporation (MTEMC) Agreement – O.B. 102-N, Attachment No. 1 (COF Contract No. 2009-0047) for the McEwen Drive, Phase III Improvements for an Increase in Cost of \$33,861 for the Relocation of Electric Lines**

David Parker, City Engineer/CIP Executive

Mr. Parker noted this should be carried forward and approved to get this project underway as soon as possible. Costs have gone up and estimates typically are good for 30-60 days. Expect to advertise and start this summer. Alderman Petersen alluded to the agreement with the developer and asked for details on the background.

- 9.* **Consideration of COF Contract No. 2010-0047 with Mallory Valley Utility District for the Highgate Subdivision Road Resurfacing Project**

David Parker, City Engineer/CIP Executive

Mallory Valley will do upgrades and this contract allows upgrades and road resurfacing to be done together.

10. **Consideration of Proposed ORDINANCE 2010-33, To be Entitled "An Ordinance to Rezone .46 Acres from High Residential (R-3) To Residential Variety (RX) for Property Located at 1439 Columbia Avenue**

Alderman Ann Petersen, FMPC Representative

Request to rezone for attached dwellings came with an unfavorable recommendation from the FMPC. Gary Vogrin of LandDesign was present on behalf of General's Retreat. The proposal is to build 26 one and two bedroom units, including three workforce deed restricted units. The footprint would not change. The overall Site Plan does not change, rather restructured.

Alderman Barnhill expressed concern with additional traffic, runoff, etc. Mr. Vogrin responded the proposed Concept Plan would be in accordance with the Stormwater Ordinance and would include additional biofiltration swales, water quality cells, and permeable pavers. There should be minimal impact on Columbia Avenue. Per traffic improvements recommended by Carl Baughman, Traffic Engineer, there would be a striped, dedicated left turn signal into Battle Avenue. Catherine Powers noted that rezoning does not mean the Concept Plan will meet all City requirements.

Concerns:

- Inadequate parking currently
- Adequate fire equipment access
- Additional traffic on Adams and Columbia
- Increase in vehicles without additional land for parking
- Not all units are deed restricted; few are owner-occupied; many are rentals.
- Too much density in one of the densest areas of the City

11. Consideration of Proposed ORDINANCE 2010-20, To be Entitled “An Ordinance to Rezone 20.001 Acres to be Included Within the Scientific Research Overlay (SRO) Zoning District for Property Located at the Northeast Corner of Mack Hatcher Parkway and Franklin Road”

Alderman Ann Petersen, FMPC Representative

Proposal comes with unfavorable recommendation from the FMPC. Brian Echols, attorney for probable applicant present. The Overlay resulted from previous discussion by the Board and included a maximum 200,000 square foot building.

Mr. Echols proposed to add a clinic and medical education facility to the approved uses to better define additional uses. The FMPC wanted usage to be more restrictive. Alderman McLendon noted the existing zoning permits countless things that might be objectionable, it was zoned without an applicant a year ago, and staff was asked to eliminate uses that might have unintended consequences.

Mr. Echols related there are people in the scientific research field interested in coming to Franklin. Coming up with a facility design agreeable to all is the problem. No one has said what it should look like, and it must be large enough to be profitable. He asked BOMA to not approve the overlay as written, and requested clinics and medical and scientific education uses be added.

Eric Stuckey and Mayor Schroer recommended Mr. Echols provide staff with suggestions as to what should be included as uses. Alderman Petersen noted BOMA minutes would be the important minutes to review for this issue; not the Planning Commission minutes included in the memo.

12. Acknowledge Receipt of Inter-Planning Commission Review of Site Plan and Conditional Use Review for Mid-America Distributors for a Temporary Firework Stand, on 77.16 Acres Located at 1050 John Williams Road (Stand Location and Access on Liberty Pike) in the 4th Voting District

Alderman Ann Petersen, FMPC Representative

FYI: Ms. Powers related a change in submission requirements would now provide a brief window in which to review items from the Inter-Planning Commission.

13. **Acknowledge Receipt of Inter-Planning Commission Review of Site Plan and Conditional Use Review for Mid-America Distributors for a Temporary Firework Stand, on 1.32 Acres Located at 1270 Lewisburg Pike in the 2nd Voting District**

Alderman Ann Petersen, FMPC Representative

FYI

14. **Agreement Between the Franklin Chapter #14, United Daughters of The Confederacy and The City of Franklin, Tennessee for the Maintenance of The Franklin Square Monument**

Eric Stuckey, City Administrator

Mr. Stuckey noted the statue of the Confederate Soldier was erected in 1899 and paid for with private UDC donations. Recent meetings between City administration and representatives of the United Daughters of the Confederacy brought about an Agreement that the City of Franklin has sole discretion for maintenance and cleaning of the monument that sits on City property. Lift equipment will be rented and City staff will bathe the soldier with mild soap and water. The project should take two or three days and will be relatively inexpensive.

15. **RESOLUTION to Approve the Approved Mack Hatcher Widening Contract with TDOT**

David Parker, City Engineer/CIP Executive

No questions or comments

16. **Consideration of Bid Award to Bob Ladd & Associates, Inc. (d/b/a "Ladd's) of Memphis, TN in the Amount of \$12,569.86 for One (1) New Self-Propelled Athletic Field Drag to be Used by The Parks Department for Grooming the Skinned Areas of Baseball and Softball Fields (Purchasing Office Procurement Solicitation No. 2010-037; \$12,000.00 Budgeted in 110-89530-44700 for Fiscal Year 2010)**

Lisa Clayton, Parks Director

No questions or comments

17. **Change Order Liberty Park Phase 3-Final Project and Final Change Order**

Lisa Clayton, Parks Director

Staff recommends issuing a letter releasing the \$5,000 held at Pinnacle Bank for retainage on Liberty Park, Phase III. Request approval of Change Order #1 for \$6,609 to close out the entire project.

ADJOURN

Work Session adjourned @ 6:51 p.m.

Mayor John C. Schroer

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 6/8/2010 4:11 PM