

**MINUTES OF THE SPECIAL BOARD MEETING
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARD ROOM
THURSDAY, FEBRUARY 24, 2011 – 6:15 P.M.**

Board Members

Mayor Ken Moore	A	Alderman Margaret Martin	P
Alderman Clyde Barnhill, Vice Mayor	P	Alderman Dana McLendon	P
Alderman Pearl Bransford	P	Alderman Ann Petersen	P
Alderman Beverly Burger	P	Alderman Michael Skinner	P

Staff

Eric Stuckey, City Administrator	P	Lanaii Benne, Assistant City Recorder	P
Shauna Billingsley, City Attorney	P	Linda Fulwider, Board Recording Secretary	P
David Parker, City Engineer/CIP Executive	P		

1. Call to Order

The *Special* Board Meeting of the Mayor and Aldermen of the City of Franklin, Tennessee, was called to order by Vice Mayor Clyde Barnhill on Thursday, February 24, 2011 at 6:15 p.m. in the Board Room.

2. Consideration of Approval of Amendment No. 1 to the Atmos Energy Corporation Nichol Mill Road Lane Gas Pipeline Relocation Agreement, COF Contract No. 2011-0029 in the Amount of \$180,584.39

David Parker, City Engineer/CIP Executive

Alderman Bransford moved to approve Amendment No. 1 to the Atmos Energy Corporation Nichol Mill Lane Gas Pipeline Relocation Agreement. Seconded by Alderman Burger.

David Parker reported an error in No. 3 of the draft, the cost as written states "One Hundred Eight Thousand Five Hundred Eighty-Four and 39/100 Dollars" and should read "One Hundred Eighty Thousand Five Hundred Eighty-Four and 39/100 Dollars."

Since entering into the original Agreement in 2005, there have been changes in conditions along existing Nichol Mill Lane: Since improvements weren't started (contracted) until recently, and the conditions within the area of construction have been altered, Atmos cannot relocate a 6" high-pressure gas main as originally designed. The City is obligated to pay for the Atmos gas main relocation.

The main issue for relocation of the Atmos gas main is the installation of the Mallory Valley Utility District's 24" water main along Nichol Mill Lane that occurred in the last year or so. It prevents Atmos from lowering their gas main as originally planned since the water main crosses beneath the existing gas main. Atmos must cross Nichol Mill Lane and relocate approximately 230 feet of their main.

In addition, the project was revised to relocate the culvert crossing toward the western limits of the project to better align the creek with a perpendicular crossing of the road. The creek relocation requires Atmos to lower another 300 feet of line to an elevation of approximately 10 feet below the proposed flow line of the creek to assure no interference from the culvert construction. The estimated cost for the work is \$180,584.39, the increase in cost to the City for the relocation is \$173,437.42 [\$180,584.29 - \$7,146.97 (cost

for originally designed relocation)] The difference between the \$131,417.95 amount funded can be made up from the savings of over \$2,000,000 on the McEwen Drive, Phase III Improvements Project.

Staff recommends approval of Option 1 (Amendment No. 1) as Option 2 is not to approve the Amendment, which would result in the City being unable to complete the Nichol Mill Lane Improvements as designed and contracted. The City previously promised to finish the road before the holiday season.

Discussion:

- Project delayed five years and the reality has changed
- Relocation of the creek started the problem
- MVUD line came into play because the City changes
- Not necessarily the fault of MVUD or Atmos
- Concern regarding savings from projects being earmarked
- Need to finish the project by the holidays as promised
- Were there negotiations with MVUD to share the cost?
- The aldermen urged staff to negotiate cost with MVUD

The question was called and approved unanimously

Motion to approve Amendment No. 1 carried unanimously.

ADJOURN

Alderman Burger moved to enter Executive Session. Seconded by Alderman Bransford. Motion carried unanimously.

Alderman Burger moved to adjourn the Special Meeting, seconded by Alderman Martin, and carried unanimously.

Meeting adjourned 6:30 p.m., at which time the Board entered into Executive Session.

Vice Mayor Clyde Barnhill

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 3/10/2011 9:06 AM