
**MINUTES OF THE WORK SESSION
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, MARCH 8, 2011 – 5:00 P.M.**

Board Members

Mayor Ken Moore	P	Alderman Margaret Martin	P
Alderman Clyde Barnhill	P	Alderman Dana McLendon	P
Alderman Pearl Bransford	P	Alderman Ann Petersen	P
Alderman Beverly Burger	P	Alderman Michael Skinner	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, CIP Executive/City Engineer	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
David Rahinsky, Interim 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 Moore called the March 8, 2011 Work Session to order at 5:00 p.m. in the City Hall Boardroom.

2. Citizen Comments

None

WORK SESSION DISCUSSION ITEMS

3. Consideration of Event Permit for Jingle Bell Run to be Held in Downtown Franklin on December 4, 2011

David Rahinsky, Interim Police Chief

4.* Consideration of Event Permit Request from Children Organ Transplant Association for 5k Run to be held at Harlinsdale Farm on March 26, 2011

Lisa Clayton, Parks Director

5. Consideration of Event Permit Request from My Father's House for Cinco De Mayo Event to be Held at Harlinsdale Farm on May 21, 2011

Lisa Clayton, Parks Director

6. **Consideration of Event Permit Request from Heritage Foundation for Heritage Ball at Eastern Flank Battlefield Park on September 24, 2011**

Lisa Clayton, Parks Director

Items 3-6 taken together and there were no comments or questions

7. **Discussion Regarding County Sales Tax Proposal**

Eric Stuckey, City Administrator

Williamson County officials present: Commissioners Greg Davis, Doug Langston, Bob Barnwell, Kathy Danner, and Chairman Jack Walton; School Board Chair Pat Anderson, and School Superintendent Mike Looney; County Mayor Rogers Anderson and County Budget Director David Coleman.

Mayor Anderson stated the reason for their presence:

- On Monday, the County Commission will vote on a resolution to take a proposed .5% sales tax increase to a referendum.
- Each City in Williamson County will be approached and requested to give a share of sales tax revenue back to the County to help fund public education in the County.
- The request is for a specified length of time.

Dr. Mike Looney spoke for the County Board of Education:

- They support this objective to adequately fund the County school system and the Franklin Special School District.
- The County Board of Education is considering a \$239 million budget; an approximate 6% increase over the previous year.
- The number of schools in the County will increase by approximately 5% with the addition of two new schools in the fall.
- They have worked hard to keep the budget to bare bones
- It is imperative to move forward with a budget that is adequate for the needs of the district and allow them to stay at the forefront of the state in educational achievement.

David Coleman related the outcome of the Tax Study Committee:

- Sales tax increase chosen after research showed 10 of 18 counties in Middle Tennessee with higher local sales tax rates.
- Williamson County proposes a .5% increase for a total 2.75% sales tax.
- Using 2010 calendar year numbers, the first \$8 million of local tax generated by the increase would go directly to the operation of Williamson County Schools and the Franklin Special School District.
- The second half would go to the cities and county, wherever generated, and dedicated toward the payment of school debt.
- Information reviewed, amount of school debt and major revenue sources. Provided at the local level, taxpayers 66%, State 32%, and federal 5.5%. The 5.5% does not include ARRA funds or special funds that may have been appropriated.

Mr. Stuckey related:

- City and County representatives have discussed a five-year time period would help with debt relief.
- If the increase reaches the referendum stage, the City and County will discuss an Interlocal agreement.
- The City reduced its budget 15% in the last two years without layoffs or reductions in service.
- The City will give this careful consideration.

Discussion:

- Alderman Skinner: Franklin has the lion's share of the sales tax; thus, would contribute more than any other entity.
- Mayor Anderson: Of \$8 million last year, almost \$5 million was from Franklin. The smaller cities generate very little; however, a large sum does come from Brentwood.
- Alderman McLendon: If the referendum passes, and the other municipalities do not participate, he does not want to be faced with Franklin committed to a tax hike that does not connect.
- Could the County Commission pull the plug on the tax hike if unable to get buy in from Brentwood and Franklin. (Legal opinion required for this question)
- The \$8 million generated insufficient to cover entire proposed \$239 million budget; participation by the cities would greatly enhance the objective.
- No increase in Williamson County property taxes since 2003
- At least 853 additional students will enter the system in August
- Total number of students is up to 31,502 with numbers changing daily
- Mayor Anderson: If the public does not approve a sales tax increase to generate the money then it falls to the property tax and/or additional budget reductions.
- Alderman Burger: What is county government doing to cut spending, increase revenue, address school needs, and reduce the budget before asking for sales tax or property tax increases?
- Mayor Anderson responded with a review of the budget for the past 10 years. The current budget year total is \$362,914,000 (a million dollars a day). Schools receive \$233,500,000, 64% of the total budget (operating side). The remainder is for law enforcement, court, and everything else.
- The debt: Three new schools opened last August (Pearre Creek Elementary in Westhaven, Spring Station Middle School in Spring Hill and Allendale Elementary in Spring Hill). Two more will open in August (Clovercroft Elementary in Franklin, and Summit High School in Spring Hill). Average cost to build a school: \$50 million for a high school, \$35 million for a middle school, and \$25 million for an elementary school. The lion's share of the budget is paid by the County. The County Commission must approve all money borrowed to build schools and show as line items in the budget.
- Alderman McLendon: There is a straight line between the money the cities would forego

and the debt service directly related to school capital investment.

- Alderman Barnhill: An Interlocal agreement would resolve concerns regarding a five-year plan. There is a half-percent increase; the schools want a quarter of that from the cities to go against debt service for the county school system and FSSD. What would be the percentage coming back now. The response was their attorneys are looking into that.
- Regarding the unreserved fund balance for the county and current percent requirement, Mr. Coleman explained and noted they are required to carry a 3% fund balance.
- Alderman Petersen said she understood the City would not release the full \$5 million every year in those five years.
- Mayor Anderson committed to go to the Commission and dedicate County sales tax dollars to the schools as well (approximately \$200,000)
- Mayor Anderson reiterated the County Commission would not be voting on the proposed sales tax increase, rather an affirmative vote would take the proposed increase to a referendum.

➤ Laurian Scott, 9341 Clovercroft Road, addressed the landscaping of Clovercroft Elementary School. Referring to a drawing with the areas in question highlighted, she stated the residents were promised adjustments to the landscaping. There is a "small Tennessee mountain" with an abundance of landscaping behind the school. Kevin Forney, Director of Facilities for Williamson County Schools, advised them the County was willing to work with them, but could not as the landscaping was designed according to City of Franklin requirements, including the buffers behind the school.

She asked the Board if something could be done. There are 162 trees in back and 29 trees in front; all are deciduous. She mentioned Ravenswood and Kenwood as prime examples of density with all evergreens. They want the aesthetics continued as before, or close to it, to blunt the view of the building. Of the 29 trees in front, only six will block the structure. There are 288 evergreens, mostly on the sides, and those are fine.

Eric Stuckey had asked staff if anything could be done concerning her request. Vernon Gerth explained the problem is utility easements that run parallel to Clovercroft Road. Normally utility companies do not allow planting in their easements. Perhaps additional trees could be planted closer to the building. Mr. Gerth said he would have the City landscape planner contact Ms. Scott.

8. Discussion of Proposed Grant Program for Special Events

Monique McCullough, Public Outreach Specialist

The Special Events Advisory Team (SEAT) was formed to review Event Permit applications and meet with event organizers. Eric Stuckey referred to the many community festivals and events held in Franklin and advised staff would like to pursue a different way to continue lending support. Many City services are involved in these events. The City desires greater accountability by enhancing what works and what is good about the events. Various event

organizers have been involved in discussions with the Events Team.

Monique McCullough advised the proposed grant program is to correctly allocate and recoup costs associated with these events. For most events held, personnel and supply costs have been totally absorbed by the City. Personnel working special events are the source of a considerable percentage of overtime budgets. In 2010, events held in downtown Franklin incurred over \$29,000 in overtime costs. The grant program would give organizations an opportunity to request in-kind support from the City. Parades, athletic events, and foot races would not be eligible. The applicant would be awarded \$50 of in-kind support for each point given on the application: In turn, the sponsor would be required to reimburse the City for any services received over the amount awarded.

There was brief discussion on fees, damage deposit fees, and the point system.

- 9.* **Consideration of Construction Bid Award to Doss Brothers, Inc. for the Demolition of 306 Fifth Avenue North in the Amount of \$9,200.00 (COF Contract No. 2011-0009)**

David Parker, City Engineer/CIP Executive

No questions or comments

- 10.* **Consideration of Construction Bid Award to Doss Brothers, Inc. for the Demolition of 11 Rebel Meadows Properties as Part of the Mack Hatcher Parkway Extension Project in the Amount of \$76,000.00 (COF Contract No. 2011-0008)**

David Parker, City Engineer/CIP Executive

No questions or comments

- 11.* **Consideration of the Dedication of Easements on City Property to Middle Tennessee Electric Membership Corporation (MTEMC) for the Relocation of Electric Lines for the Hillsboro Road Improvements Project**

David Parker, City Engineer/CIP Executive

This relocation of overhead lines is to decrease the number of electrical circuits along Hillsboro Road, and decrease the cost for underground utilities installed as part of this project.

- 12.* **Consideration of Amendment No. 1, Hillsboro Road Intersection Improvements at Claude Yates Drive (COF Contract No. 2011-0028) TDOT Contract 060118A1, PIN 108409.00**

David Parker, City Engineer/CIP Executive

Signalization of the intersection included in this project. The Law Department is clarifying document language, thus Mr. Parker requested the motion at the voting session be approval contingent on language clarified by staff.

- 13.* **Consideration of the Professional Services Agreement with Sain & Associates for the Waterline Relocation Design as Part of the Mack Hatcher Parkway Widening – Northeast Quadrant Project in an Amount Not to Exceed \$15,000 (COF Contract No. 2011-0022)**

David Parker, City Engineer/CIP Executive

Project to go to bid in September.

14. Consideration of City Purchase of the Property Located at 331 Fifth Avenue North in the Amount of \$300,000

David Parker, City Engineer/CIP Executive

The May 2010 flood significantly damaged this property. The owner asked the City to purchase the property for \$300,000. The appraised value is \$310,000.

Alderman Petersen wanted the item to go back to the Capital Investment Committee to look at all the properties in that area not rebuilt.

Alderman McLendon said a local merchant expressed interest in the property. One nearby business owner would like to use part of that site for customer parking since the parking area for his business will be absorbed in the road widening. He would like an opportunity to talk; otherwise, the City would have to buy that property.

15.* Consideration of Contract Award to Sherrill Morgan of Covington, KY, in the Total Amount of \$30,000.00 for the Initial Twelve-Month Term of Service Year for Group Employee Insurance Benefits Consulting Services for the Human Resources Department, With Options to Extend the Term of Service for Up to a Maximum of Two (2) Additional One-Year Terms (Purchasing Office Procurement Solicitation No. 2011-016, Not Specifically Budgeted for in FY2011)

Shirley Harmon, Human Resources Director

Eric Stuckey advised the purpose is to engage an independent consultant to advise the City on the following:

- Evaluate the City's current retiree insurance programs and recommend alternative plan designs
- Assist in the preparation of an RFP for group employee insurance benefits scheduled to be issued in March 2011
- Assist in the evaluation of proposals resulting from the group employee insurance benefits RFP
- Evaluate the impact of healthcare reform legislation on the City's employee insurance benefit plans and assist the City in the development of a long-term strategy for managing healthcare costs

This process is comparable to the process for the financial advisor; position the best match for the City. The Team did not want to engage a firm that would receive a commission. Of the eight qualified firms evaluated by the team, Sherrill Morgan was deemed the best fit at a cost of \$30,000.

Discussion/Comments:

- This item did not go through committee
 - The next plan year begins July 1, 2011, thus the urgency of receiving approval
 - Wouldn't the 3 local firms that applied know more about the City
 - All responses evaluated for the needs of the City. The process allowed for questions. Just two responders asked questions. It was an equal playing field.
 - The lowest and best bid is the usual process; sometimes that is local and sometimes not. Policy would have to change to do otherwise.
 - The Team was not looking for a brokerage service. That is an option to come. The nature of the RFP was strictly for consultation services.
 - Proposers were asked for a fixed flat fee
 - Consultant services important for new healthcare reform, a workforce that has grown from 400 to 700, and because one retiree insurance plan sunsets June 30, 2011
 - Of the 28 solicited RFPs, eight (8) were returned. References checked. There were no in-person interviews
- Ralph Drury, owner, and Charles Pareigis, president, Drury Group (one of the local bidders) expressed displeasure with the bid process and award. Among other comments, the following reasons cited. The RFP was not clear, the process was flawed, the negatives of hiring out of state consultants, the disparity, and quality of service \$249,000 vs. \$30,000, lack of an in-person interview, and their tax dollars going to firms outside Franklin and Williamson County for services available locally. Positives given for their firm: The excellent service provided to Williamson County entities, and availability to provide free advice.
- Paul Pratt, Jr., another local businessperson, commented the City would be surprised at how much local talent there is and amazed at the amount of free advice the City could receive.

**16. Discussion Regarding Leak Adjustment Issues Request from Mr. Dreier
Alderman Dana McLendon**

Withdrawn

**17. Consideration of RESOLUTION 2011-14, A Resolution to Reapprove a Concept Plan for Franklin Christian Academy for One Year, on Land Totaling 27.91 Acres, Located at 1720 New Highway 96 West, by the City of Franklin, Tennessee
Alderman Ann Petersen, FMPC Representative**

No comments or questions

18. Consideration of Bid Award to Waste Management, Inc. of Tennessee, d/b/a West Camden Sanitary Landfill of Camden, TN, for the Quoted Unit Pricing of \$24.40 per Ton for Sanitary Landfill Tipping Services for the Disposal of Biosolids Produced at the City of Franklin Water Reclamation Facility for the Water Reclamation Division of the Water Management Department, for an Initial Term of Service Commencing April 1, 2011 and Expiring December 31, 2012 with Options to Extend the Term of Service for Up to a Maximum of

Three (3) Additional One-Year Terms (Purchasing Office Procurement Solicitation No. 2011-011; \$262,500.00 Budgeted in 431-82270-52213 for FY2011)

Mark Hilty, Water Management Director

No comments or questions

19. **Consideration of the 2010-11 Community Based Development Organization (CBDO) Contract 2011-0021 with Hard Bargain/Mt. Hope Redevelopment in the Amount of \$55,000 for the Purpose of Creating One Affordable Housing Unit with Community Development Block Grant (CDBG) Funding**

Vernon Gerth, ACA Community & Economic Development

Kathleen Sauseda, Interim Housing Development Coordinator

No comments or questions

20. **Consideration of Proposed Ordinance 2011-11, To Be Entitled, "An Ordinance to Rezone ±4.24 Acres from Civic and Institutional (CI) to Regional Mixed-Use (MX) for the Property Located at 109 Third Avenue South"**

Alderman Ann Petersen, FMPC Representative

Catherine Powers related this is per developer request to allow for different uses and densities, specifically to allow a new City Hall and a boutique hotel.

Discussion/Comments:

- Alderman Barnhill preferred not to act until funding available to avoid getting to the point of no return. The Concept Plan does not offer a great deal of detail and he does not want to be backed into a corner.
- Eric Stuckey responded this is a very initial step to move the zoning to align with mixed use in this area.
- Alderman Skinner agreed with Alderman Barnhill and asked if this was the best time to sell prime City land. No one has talked about money and further down in the process how does that work in overall debt.
- Alderman Burger was not comfortable enough with the plan to act on rezoning. She thought no one in their right mind would want to live in townhomes facing loading zones and in the same block as City Hall. A special meeting is needed to discuss the issue.
- It was pointed out this is a Concept Plan and the Regulating Plan would have more detail.
- Mr. Stuckey said the question is to change the zoning from Civic Institutional to Regional Mixed-Use.
- Ms. Powers commented from a planning standpoint; put the land use into place to set the area for the foreseen. It is not a funding issue. This follows the normal land use process.
- Mr. Stuckey added it is a step toward City Hall and mixed use, and it shaves some time off the process.

21. **RESOLUTION 2011-13, A Resolution Approving a Concept Plan for Franklin City Hall PUD Subdivision, Totaling ±4.24 Acres, Located at 109 Third Avenue South, by the City of**

Franklin, Tennessee

Alderman Ann Petersen, FMPC Representative

No further comments or questions

ADJOURN

Work Session adjourned 7:01 p.m.

Mayor Ken Moore

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 4/15/2011 9:14 AM