
**MINUTES OF THE WORK SESSION
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, JUNE 14, 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		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		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	
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 Ken Moore called the June 14, 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 Bluegrass Along the Harpeth Festival to be Held July 22-23, 2011 in Downtown Franklin

David Rahinsky, Interim Police Chief

No questions or comments

4. Consideration of Event Permit for YWCA Viva La Diva Run to be Held on November 19, 2011

David Rahinsky, Interim Police Chief

Alderman Petersen expressed concern because the route included heavily traveled Highway 96.

- ▶ Larry Holmes spoke on behalf of the applicant saying they have worked with the Police Department on this, there are wide shoulders in the area, and there will be cones down the left lanes and between the outer and inner lanes. Three of the four lanes will be open.

Chief Rahinsky added 12 off-duty officers would provide security.

5. Consideration of Event Permit for Franklin Classic to be Held on September 5, 2011 in Downtown Franklin

David Rahinsky, Interim Police Chief

No questions or comments

6. Consideration of Event Permit Application for Best Buddies 5K to be Held on August 27, 2011

David Rahinsky, Interim Police Chief

No questions or comments

7. Consideration of Event Permit Application for the Franklin Jazz Festival in Downtown Franklin on September 3-4, 2011

David Rahinsky, Interim Police Chief

No questions or comments

8.* Consideration of RESOLUTION 2011-28, A Resolution of the Board of Mayor and Aldermen for the City of Franklin Employees Pension Plan, Providing a Cost of Living Adjustment to the Monthly Benefit for Retired Recipients

Shirley Harmon, Human Resources Director

The Pension Committee recommends approval of a 1.3% cost of living adjustment for retirees to be effective July 1, 2011. The Resolution shows an effective date of July 1, 2012; that will be corrected to July 1, 2011. Ms. Harmon said that because of the time it takes to get the information to SunTrust and for them to process it, the increase would be in the August checks with the increase retroactive for July.

9.* Consideration of Contract Award for Stop-Loss Insurance for Employee and Retiree Health and Pharmacy Programs for a One-Year Term Effective July 1, 2011; Contract to be Reviewed and Approved by City Administrator, City Attorney, and Human Resources Director (Purchasing Office Procurement Solicitation No. 2011-033)

Shirley Harmon, Human Resources Director

Consultant Sherrill Morgan and City staff recommend acceptance of HM's bid as submitted, which represents a savings over the current reinsurance premium.

10.* Consideration of a Sole-Source Maintenance Agreement (COF Contract #2011-0062) with Physio-Control, Inc. of Redmond, WA, for the Service and Repair of the Department's Automated Defibrillators and Cardiac Monitors for the Year Beginning June 1, 2011 in the Amount of \$12,549 (\$55,000 budgeted in 110-82620-42200 for FY2011)

Rocky Garzarek, Fire Chief

This maintenance agreement covers all defibrillator/cardiac monitors owned by the City.

11.* Consideration of the Professional Services Agreement (COF Contract No. 2011-0078) with Wisser Company, LLC, for the Design of the Traffic Signal at the Intersection of Del Rio Pike and Magnolia Drive in the Amount Not to Exceed \$15,700

Eric Gardner, Engineering Director

Emergency repair was necessary due to soil failure for the signal supports causing leaning poles at this intersection. Temporary measures were taken until new design and construction can take place. The existing poles will be reset with new footing.

12.* Interlocal Agreement Between The City of Brentwood and The City of Franklin for the Purchase, Installation, and Maintenance of a Weather Warning Siren, Contract #2011-0015

Rocky Garzarek, Fire Chief

Item pulled

13.* Consideration of Liquor License Retailer's Certificate for The Corner Wine & Spirits (Guru Dev of Franklin, LLC, Vrushank Ramesh Surati and Krishna M. Patel), 1110 Hillsboro Road, Franklin, Tennessee

Lanaii Benne, Assistant City Recorder

The ABC requires the second owner's name be listed on the license. Staff Attorney Kristen Corn has been working with their attorney, Mr. Cheek, and the ABC to resolve the issue. Approval of the revised retail liquor license is recommended.

14. Continued Discussion on the FY2011-2015 CIP Prioritization

David Parker, City Engineer/CIP Executive

The aldermen are to turn in their prioritization lists by Friday, June 17; however, there are still some unanswered questions.

Vernon Gerth reviewed the tri-colored ranking list provided by staff:

- Yellow indicates the City has paid its share of funding and additional funding is the responsibility of the state for the Mack Hatcher Parkway Extension.
- Gray shows the projects BOMA approved for funding in Resolution 2009-44 on September 22, 2009:
 - 1) Hillsboro Road Widening Highway 96 to Mack Hatcher (DESIGN)
 - 2) McEwen Drive improvements Phase III from Carothers Parkway to Cool Springs Boulevard (ROW)
 - 3) Third Avenue North Extension to Hillsboro Road (ROW).
- Blue indicates funding for projects approved by BOMA on July 13, 2010 and projects are in process:
 - 1) Nichol Mill Lane from Mallory Lane to just west of Academy Sports (ROW); Resolution 2010-51
 - 2) Mallory Station Road @ General George Patton Drive Signalization; Resolution 2010-52
 - 3) Eastern Flank Battlefield Access Roadway (Hotel/Motel Tax)

Project in green is the McEwen Drive & Wilson Pike intersection improvements per approved Interlocal Agreement with the Williamson County School Board. The City has committed to the funding.

The extensive list below the heavy black line - unfunded projects to be prioritized.

Alderman Skinner regarding Eastern Flank Battlefield Park:

- The Battlefield Commission met last week with Eric Gardner and David Parker and identified cutbacks, such as utilizing existing pavement and existing parking lots, instead of building additional parking = savings of \$200,000 in asphalt and demolition.
- Preferred 18 ft. road width and to construct entire loop for \$160,000 more to give access to the rest of the park and interpretive areas
- Recommended an additional \$490,000 be added to the \$369,000 committed for a total of \$843,000 for the project
- Confident will receive grants and private donations
- City essentially promised Heath Place that the entrance to the Park would not be on Carnton Lane
- This project has impact on Heritage tourism and should be done prior to the Civil War Sesquicentennial

Other Comments:

- Project should not receive preferential treatment by taking it out of the ranking because of a “we’ll make it happen no matter what” attitude.
- Promises should not be made for projects. The Board makes the decisions.
- Explanation of projects are in the CIP manual
- Separate work session needed before alderman do individual ranking
- Phases of projects should be broken out and explained
- Aldermen are to finish their ranking lists and turn them into staff by Friday for staff tabulation. A special work session can then be scheduled.

15. Consideration of ORDINANCE 2011-16, An Ordinance to Amend Title 10 of the Franklin Municipal Code to Clarify Applicability of Chapter 1 and to Adopt by Reference The Rules and Regulations Pertaining to Regulation of Dogs and Cats in Williamson County, Tennessee, as Adopted by The County Commission of Williamson County

Becky Caldwell, Solid Waste Director

In May 2010, Williamson County updated the resolution for animal control services. The change created inconsistencies between County regulations and current animal control ordinances of cities and towns serviced by Williamson County Animal Control. Changes to Title 10, Chapter 1 allow the City to separate dogs and cats from other animals. Chapter 2 would adopt the rules and regulations for dogs and cats as presented and adopted by Williams County.

Alderman Burger had questions about regulations for tethering dogs. Ms. Caldwell noted that

page 10 of the Williamson County Animal Control Services document answers that question.

16. Discussion of Facility Management for Event Planning & Catering Services for Eastern Flank Battle Hall Facility

Lisa Clayton, Parks Director

Alderman Burger stated this is an opportunity to look at City facilities that could generate revenue for the City.

Lisa Clayton noted that Parks staff along with other departments completed some renovations in the 8,000+ sq. ft. facility. They replaced the roof, took care of water and electrical problems, painted, and replaced carpet. The existing kitchen was gutted because of mold and rotten wood. Caterers using the facility have expressed interest in having a full working kitchen at the facility. Parks receive calls from non-profits, event planners, and restaurant owners from Franklin and Nashville interested in the potential of the facility. The facility has a second story that is not ADA accessible but could be used for storage.

Currently, all City departments use the facility for training and events. It is frequently rented, but not every weekend or weekday. The City could contract with someone to manage the facility. Revenue could be shared and the facility could continue to be used by staff.

Alderman Burger liked the idea of sending out RFP's because staff shouldn't become event planners to get revenue. She asked that staff research other municipalities on private/public partnerships.

Vernon Gerth advised staff would look at what other cities do regarding return on investment.

➤ Citizen Comments

Mary Weary, owner of Menu Maker Catering, said she is very interested in the facility for events. She spoke about bookings and unlimited possibilities. Ms. Weary would like to explore a partnership. Mr. Weary added that his wife could front the money for all repairs, etc.

17. Consideration of Pension Investment Agreement with Polen Capital Management (COF Contract No. 2011-0082)

Russ Truell, ACA Finance & Administration

The Pension Committee recommends approval of an agreement with Polen Capital Management to manage Large Cap Growth stocks. Final approval subject to approval by the City Attorney, City Administrator, and SunTrust Bank as Trustee. Anticipate BOMA voting on this at the June 28 meeting.

18. Discussion of Amendments to Fiscal Year 2012 Budget Including the Currently Estimated Certified Tax Rate

Russ Truell, ACA Finance & Administration

Amendments:

- Stormwater expenditures reduced by \$1.295 million, payroll increased \$59,838.

- Tax rate less than anticipated from 43.40 cents to 37.65 cents per hundred

19. Consideration of ORDINANCE 2011-14, To Be Entitled: "An Ordinance to Amend Chapter 5, Section 5.11.4 of The City of Franklin Zoning Ordinance, which Establishes the Exterior Lighting Standards"

Alderman Ann Petersen, FMPC Representative

Catherine Powers related the modifications are to make standards more consistent. Height goes from 16 ft. to 20 ft. in residential areas and lights near neighborhoods must be shielded.

Alderman Burger asked about placement of lights because some subdivisions do not have adequate lighting; the distance between lights is too great. Ms. Powers responded that MTEMC determines the placement. The design and type of lighting goes to the character of the neighborhood.

Mr. Gerth advised the City pays a maintenance fee and service charge on lights and staff is researching if there would be any advantage to the City assuming responsibility.

20. Consideration of ORDINANCE 2011-20, To Be Entitled: "An Ordinance to Rezone 5.25 Acres from Residential Variety (RX) to General Office (GO) for Property Located at 222 Mallory Station Road"

Alderman Ann Petersen, FMPC Representative

Ms. Powers noted the rezoning to General Office is a good transition for the WAKM site.

21. Consideration of ORDINANCE 2011-23, To Be Entitled: "An Ordinance to Amend Chapter 5, Section 5.3.5 of The City of Franklin Zoning Ordinance to Revise Standards Relative to Residential Garages"

Alderman Ann Petersen, FMPC Representative

Ms. Powers related the FMPC asked for a revision of standards for street-facing residential garages. The change would allow for more backyard space. As a compromise, street-facing garages must be recessed 10 to 20 feet and a minimum of 22 feet from the sidewalk.

22. Consideration of RESOLUTION 2011-27, A Resolution to Reapprove a Concept Plan for Franklin First United Methodist Church, Totaling 106.15 Acres, Located at 111 Daniel McMahan Lane, by The City of Franklin, Tennessee

Alderman Ann Petersen, FMPC Representative

No questions or comments

23. Consideration of Change Order No. 2 with W. L. Hailey & Company, Inc. for the Downs Boulevard 24 Inch Water Line (COF Contract No. 2009-0099) for an INCREASE of \$11,993.36, and a Contract Time Extension of 33 Calendar Days

24. Consideration of Change Order No. 2 with W. L. Hailey & Company, Inc., for the Downs Boulevard 12 Inch Reclaimed Water Line and West Reclaimed Water Line (ARRA Project-COF Contract No. 2009-0099) for an INCREASE of \$49,718.14 and a Contract Time Extension of 33 Calendar Days

Eric Gardner, Engineering Director

Items 23 and 24 were taken together as they are the same construction project. Delays because utilities had to be moved into the roadway causing additional patching and repair.

25. Discussion of Hazard Mitigation Grant Program – Phase 2 Application

Tom Marsh, Zoning & Development Coordinator

Vernon Gerth referred to a letter received from Tennessee Emergency Management Agency stating Phase II is underway with a deadline for application of June 30, 2011. Over \$25 million is available for Phase II projects from unused allocations added back into the overall disaster funding.

Tom Marsh said the City is looking to include a few homes meeting the qualifications in the letter. There were four properties left; one property sold, leaving three proposed for acquisition. Mr. Marsh indicated a resolution is forthcoming in two weeks.

Program Goal

- Permanently eliminate or significantly reduce the repetitive damages caused by natural events and disasters.

Types of projects are those that mitigate the type of disaster incurred (i.e. flooding, tornado), and can include:

- Acquisition of repetitively flooded properties
- Flood control (drainage improvement, retention/detention basin, etc.)
- Safe areas (reinforced corridors in schools, shelter areas, etc.)
- Mitigation planning

➤ Citizen Comments

Jeff Davis, 846 Lewisburg Pike, distributed a letter explaining his house, adjacent to the Franklin Water Treatment Plant, is in the floodway with the remainder of his property in the floodplain. His house did not fall in the 50% damage category; however, his house has flooded 7 times since 1986 with four claims to FEMA. He would like to set a firm dollar amount for the purchase of his home through the program. At 12.5% participation the cost to the City would be approximately \$34,500 for land adjacent to commercial City property. His property is currently in an easement lawsuit over the sewer line running through the front of the property. Inclusion in this buyout would save the City that money as well. He purchased flood insurance when he acquired the property. He was aware the property flooded.

Alderman Barnhill commented the acquisitions would have to follow the criteria set by FEMA.

ADJOURN

Work Session adjourned 6:36 PM

Mayor Ken Moore

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 7/20/2011 2:27 PM