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**MINUTES OF THE WORK SESSION  
BOARD OF MAYOR AND ALDERMEN  
FRANKLIN, TENNESSEE  
CITY HALL BOARDROOM  
TUESDAY, OCTOBER 11, 2011 – 5:00 P.M.**

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**Board Members**

Mayor Ken Moore	P	Alderman Margaret Martin	P
Alderman Clyde Barnhill	P	Alderman Dana McLendon	<b>A</b>
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	
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	
Rocky Garzarek, Fire Chief		Joe York, Streets Director	P
David Rahinsky, Police Chief	P	Brad Wilson, Facilities Project Manager	
Fred Banner, MIT Director		Kevin Comstock, ITS Project Manager	P
Becky Caldwell, Solid Waste Director		Lanaii Benne, Assistant City Recorder	P
Lisa Clayton, Parks Director	P	Linda Fulwider, Board Recording Secretary	P

**1. Call to Order**

Mayor Ken Moore called the October 11, 2011 Work Session to order at 5:00 p.m. in the City Hall Boardroom.

**2. Citizen Comments**

None

**WORK SESSION DISCUSSION ITEMS**

➤ **Hazard Mitigation Program Update**

At the request of Alderman Barnhill, Vernon Gerth gave an update on the Program. Phases 1 and 2 were submitted to TEMA. TEMA, in turn submitted the reports to FEMA. When the City receives word the appraisals and follow up for the buyout of flood properties can be done. Mr. Gerth indicated he would ask Tom Marsh, Zoning & Development Coordinator, to apprise property owners of the status forthwith. Alderman Martin said she had heard from property owners asking the status of the buyouts.

**3.\* Consideration of Event Permit for Pumpkinfest and BBQ Fest to be held October 29, 2011 in Downtown Franklin**

**David Rahinsky, Police Chief**

Nancy Williams appeared on behalf of the applicant (Heritage Foundation). Originally a 5:00 a.m. closure was requested for Fourth Avenue North and South on Friday, October 28. They asked that Third Avenue South be added to that closure. Chief Rahinsky said because of the added closure, additional officers would be present for the event. Main Street will close at 10:00 p.m. on October 28. Flashing signs will be placed at pertinent points well ahead of the event to warn motorists of the closings.

- 4.\* **Consideration of Event Permit for Centennial High School Homecoming Parade to be held October 21, 2011**

**David Rahinsky, Police Chief**

No questions or comments

- 5.\* **Consideration of RESOLUTION 2011-47, A Resolution Amending Resolution 2011-19 Authorizing the Sale of Compost Material, in Unlimited Quantities, by The City of Franklin Streets Department**

**Joe York, Streets Director**

The first resolution restricted the sale of compost to a maximum of 3 cubic yards a day per person. Minimal amounts were sold resulting in a huge stockpile. Joe York recommended the compost be sold in unlimited amounts at the established price of \$20 per cubic yard. The change will be well advertised.

➤ Items 6, 7, and 13 were taken together

- 6.\* **Consideration of Agreement to Provide Ingress and Egress Easement and Fiber Optic Easement and Agreement for the Maintenance of the Ingress and Egress Easement and Fiber Optic Easement (Contract No. 2011-0144), RESOLUTION 2011-50**

**Vernon Gerth, ACA Community & Economic Development**

Mr. Gerth advised the main issue for consideration is Resolution 2011-50 authorizing the City Administrator (and the Mayor) to execute the agreement when it is finalized. Staff is working with Lasko legal representatives. Feedback from them was received about an hour ago. They are close to consensus.

Discussed the easement running with the Lasko land should the City or Lasko sell within 25 years (November 2036). Alderman Skinner asked if there had been any talk of acquiring the roadway through eminent domain. Mr. Gerth responded that the City is partnering with Lasko. Ms. Billingsley explained eminent domain would mean the City would pay for the easement and that would be more costly than the contract being negotiated. It would be adversarial as well.

The two resolutions presented (2011-50, 2011-51) to authorize the City Administrator and the Mayor to sign the agreements can be approved on condition of the finalized documents. Eric Stuckey added that any changes of substance would come to BOMA.

- 7.\* **Consideration of the Professional Services Agreement (COF Contract No. 2011-0149) with Ragan Smith Associates, Inc. for the Survey and Design of the Access Roadway and Fiber Optic Line to Serve the Proposed Water/Streets/Fleet Facility in an Amount Not to Exceed \$73,000.**

**Vernon Gerth, ACA Community & Economic Development**

Staff recommends approval of the PSA with Ragan Smith at a cost not to exceed \$73,000.

- 13.\* **Consideration of Traffic Signal Construction and Installation Agreement, Columbia Avenue and Longview Circle South and Franklin Business Park (COF Contract No. 2011-0148), RESOLUTION 2011-51**

**Vernon Gerth, ACA Community & Economic Development**

Resolution 2011-51 is to authorize the City Administrator and Mayor to sign the agreement.

Alderman Skinner asked the total cost of traffic signal. Mr. Gerth responded \$750,000 was put in the agreement, inclusive of the future access road (curb and median) adjacent and parallel to the soccer field, a small amount of fencing at the access road, a gate at the property line, and widening of the existing parking lot for 22 parking spaces. As to the traffic signal, upon receipt of \$110,000.00 from the developer,

the City will initiate the activation of traffic signalization.

- 8.\* **Consideration of Amendment No. 1 to the Professional Services Agreement (COF Contract No. 2011-0073) with TVG Environmental, Inc. for Environmental Testing at Bicentennial Park in an Amount Not to Exceed ~~\$9,000~~ \$28,000**

**Paul Holzen, Engineer II**

Paul Holzen explained the Harpeth River Greenway Project property at 200 North Margin Street was utilized as a dump for 20 years in the mid-1900s. The cost was increased to \$28,000 because TDEC and Middle Point Landfill require additional testing (although the material is not hazardous).

- 9.\* **Consideration of Change Order Number 004 for Time Only for the Franklin ITS Phase 1 ARRA Project (Contract 2010-0091)**

**Vernon Gerth, ACA Community & Economic Development**

Staff asked for deferral to the November 8 Work Session and BOMA meeting.

- 10.\* **Consideration of the Procurement of Eight (8) Environmentally Controlled Ethernet Switch Cabinets for the Franklin ITS Projects from Purcell Systems, Spokane, WA, in an Amount of \$22,727.58**

**Vernon Gerth, ACA Community & Economic Development**

Project progressed over the last few months. This is within the existing budget.

- 11.\* **Consideration of an Amendment to the Construction Engineering and Inspection (CEI) Services Proposal Provided by RPM Transportation Consultants for the Franklin ITS American Recovery and Reinvestment Act of 2009 (Contract 2009-0091, C.O. 005)**

**Vernon Gerth, ACA Community & Economic Development**

RPM requests an increase not to exceed \$30,000 in the CEI portion of the contract. The request will not be eligible for TDOT matching funds.

Kevin Comstock, ITS Project Manager, advised that although this is not eligible for reimbursement, there are funds available in the contingency.

- 12.\* **Consideration of RESOLUTION 2011-48, A Resolution to Authorize the Mayor to Submit an Application to The Tennessee Department of Environment and Conservation for Recreation Trails Program Grant Funds**

**Lisa Clayton, Parks Director**

Documentation was not received for the agenda packets but will be available prior to the 7:00 p.m. BOMA meeting.

The grant is an 80/20 match and the Parks Department will request \$120,000. This is for a multi-purpose trail system at Harlinsdale and Pinkerton Parks. At Harlinsdale they would be able to incorporate the longest walking trail into an equestrian trail. Citizens could bring horses on the property on specific days. Walkers and bikers would be barred from the equestrian trail during that time. The department is working with the Harpeth River Watershed Association to identify canoe access points at Harlinsdale, Bicentennial, and Pinkerton Parks. The application is due October 28, 2011.

14. **Consideration of General Maintenance Agreement (COF Contract No. 2011-0142) with the Tennessee Department of Transportation (TDOT); Agreement No. 110275; PIN 101202.00; for Mack Hatcher**

**Parkway from South of Murfreesboro Road (SR 96) to West of Franklin Road (SR 6, US 31)**

**Eric Stuckey, City Administrator**

This Maintenance Agreement is for the City to assume the maintenance and operation of roadway appurtenances outside the vehicular traveled areas (TDOT requirement). This would include, but not necessarily be limited to, landscaping, walkways, ornamental structures, and electrically operated or solar-powered devices such as traffic signals and street lights. The financial impact is unknown at this time. The bids are in and being processed for awarding the bid. Expect the widening project to begin in November or December.

**15. Acknowledgement of Inter-Planning Commission Review The Grape Stomp at 3105 Boyd Mill Pike**

**Alderman Ann Petersen, FMPC Representative**

FYI only. BOMA acknowledged receipt of information for this County event.

**ADJOURN**

Work Session adjourned 5:50 PM

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Mayor Ken Moore

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 11/22/2011 3:30 PM