

**MINUTES OF THE WORK SESSION  
BOARD OF MAYOR AND ALDERMEN  
FRANKLIN, TENNESSEE  
CITY HALL BOARDROOM  
TUESDAY, MARCH 10, 2015 – 5:00 P.M.**

**Board Members**

Mayor Ken Moore	P		
Vice Mayor Clyde Barnhill	P	Alderman Dana McLendon	P
Alderman Brandy Blanton	P	Alderman Margaret Martin	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	Lisa Clayton, Parks Director	P
Vernon Gerth, ACA Community/Economic Dev.	P	Shirley Harmon-Gower, Human Resources Director	P
Russell Truell, ACA Finance & Administration		Mark Hilty, Water Management Director	P
David Parker, City Engineer/CIP Executive	P	Paul Holzen, Engineering Director	P
Shauna Billingsley, City Attorney	P	Catherine Powers, Planning & Sustainability Director	P
Rocky Garzarek, Fire Chief	P	Joe York, Streets Director	P
Deb Faulkner, Police Chief	P	Brad Wilson, Facilities Project Manager	
Fred Banner, IT Director	P	Andy King, Deputy Chief Fire/Fire Marshall	P
Chris Bridgewater, BNS Director	P	Lanaii Benne, Assistant City Recorder	P
Becky Caldwell, SES Director	P	Linda Fulwider, Board Recording Secretary	P

**Call to Order**

Dr. Ken Moore, Mayor called the Work Session to order at 5:00 p.m.

**Citizen Comments**

None

**WORK SESSION DISCUSSION ITEMS**

**1. Presentation of Proposed Wings of Hope Statue to be Erected at Pinkerton Park by SHARING of Middle Tennessee, Inc.**

**Lisa Clayton, Parks Director**

Representatives from Sharing of Middle Tennessee were present in support of their proposal, Spokesperson Sue Charest, Nancy Huguley, Dr. Deborah Wilson, Sarah and Marcus Callen, and Jon Watts, O'More College and designer of the Angel sculpture. *SHARING* of Middle Tennessee is a support group for parents who have experienced miscarriage, stillbirth, or early infant loss. Their goal is to secure a sacred space for bereaved families to gather, remember, and grieve their loss. The organization will finance the initial project and requests that the City maintain the statue and surrounding site. The organization is willing to keep a maintenance fund available to Parks with a minimum of \$500 in the account for any emergency repairs that may arise for up to five years. They shall also cover the insurance for the project for up to five years and request the City to maintain thereafter.

The Parks Department has located a "serene" location at Pinkerton Park and request BOMA consider not just the location, but if this type project, under these circumstances, should be placed within a public park.

**Discussion:**

- Tinkerbelle play area in Pinkerton Park was established for remembrance of a child almost 20 years ago.
- Alderman Bransford: In favor of the project.
- Vice Mayor Barnhill: The Board should understand what will happen when other groups request like projects. What is envisioned for Pinkerton Park in future?
- Eric Stuckey: It is setting a precedent on what will or will not be accepted.

- Alderman Burger: The site is appropriate because Pinkerton is a park for families and oriented to children.

2. **Consideration of DRAFT Bid Award to Rye Engineering PLC of Erin, Tennessee for Water Distribution System Leak Detection Services on 192 Line-Miles Per Mobilization for Anticipated Budget of \$25,000 Per City Fiscal Year Through June 30, 2016 with Three (3) Options to Extend the Term of Service for One (1) City Fiscal Year at a Time, for the Water Management Department (Purchasing Office Procurement Solicitation No. 2015-022; \$25,000 Budgeted in 421-82560-52109 for Fiscal Year 2015; Contract No. 2015-0056)**

**Mark Hilty, Water Management Director**

Mr. Stuckey noted the City has been doing loss protection successfully for several years, and \$25,000/year has been budgeted for a potential of five years. A sizeable amount of money has been saved with these services. Mark Hilty added the entire system can probably be done within two years.

3. **Consideration of ORDINANCE 2015-02, An Ordinance to Amend Title 12, Chapter 10 of the Franklin Municipal Code Amending the International Residential Code, 2012 Edition, Requiring Fire Sprinklers in Some Townhomes.**

**Chris Bridgewater, BNS Director**

**Andy King, Deputy Chief /Fire Marshal**

Mr. Stuckey explained that per recent audit, one area of inconsistency was found in how fire sprinklers are dealt with in townhomes: Information provided shows Townhouses are not sprinkled as required by the state. These amendments will put the City in compliance.

Chris Bridgewater related thee inserted the state regulations as amendments in the City's ordinance. A new R313.1 was included:

**R313.1 Townhouse Automatic fire sprinkler systems. An automatic residential fire sprinkler system shall be installed in townhouses.**

**Exceptions:**

1. **An automatic residential fire sprinkler system shall not be required when additions or alterations are made to existing townhouses that do not have an automatic residential fire sprinkler system installed.**
2. **An automatic fire sprinkler system shall not be required in a three (3) unit townhouse with less than five thousand (5,000) gross square feet and three (3) or fewer stories if each unit is separated by a two (2) hour fire wall.**

Going forward this is for new construction only. Approval of the ordinance will successfully complete the Plan of Corrective Action required by the state Fire Marshal's Office.

4. **Consideration of ORDINANCE 2014-28 Amending Table 3-2; Permitted Uses and Chapter 8 Definitions, to Allow Short-Term Vacation Rentals in Various Zoning Districts.**

**Chris Bridgewater, BNS Director**

This issue had been deferred. Subsequently, the State Fire Marshal declared sprinklers should be installed in Short-Term Vacation Rentals. Operators of these rentals must now install sprinklers in addition to acquiring a business license and registering to pay Hotel/Motel taxes.

The City will work with those already in operation to get a plan of corrective action. Those who do not want to install fire sprinklers will no longer be allowed to operate as short-term vacation rentals.

The action on this Ordinance will be whether the Board wants to allow short-term vacation rentals as a permitted use in the Zoning Ordinance. The only recourse to remove the regulation for fire sprinklers would be to go through the State Legislature. Other communities are displeased with the regulation and have approached the state about it.

5. **Consideration of Bid Award to Landscape Services, Inc. of Nashville, Tennessee in the Estimated Total Amount of \$30,900 per Mowing Season for City Facility Landscaping and Related Contract Services Through Calendar Year 2016, with one (1) Option to Extend the Term of Service for Calendar Year 2017, for the Facilities Maintenance Department (Purchasing Office Procurement Solicitation No. 2015-028; \$30,000 Budgeted in 110-82599-41320 for Fiscal Year 2015; Contract No. 2015-0055)**

**Brad Wilson, Facilities Project Manager**

These services are for Police Headquarters, The Hill, and the former Streets Department headquarters.

6. **Discussion Concerning Appropriation of Funds to Franklin First United Methodist Church (COF Project 2665) for Improvements Made at Intersection of Mack Hatcher and Aldersgate Way.**

**Eric Stuckey, City Administrator**

Ronnie Griffeth, Chair of FFUMC Building Fund, Paul Hoffer, Civil Engineer, and Paul Holzen, City Engineering Director addressed this proposal.

Background:

- July 27, 2010 BOMA approved Resolution 2010-40, Concept Plan for FFUMC, totaling 106.15 acres @ 111 Daniel McMahon Lane. FFUMC was required to improve the intersection of Mack Hatcher and Spencer Creek Road to provide access to their property. Improvements included signal modifications, median modifications and addition of turn lanes. The City currently owns a 52 acre property directly west of the development and these improvements will ultimately benefit the City and the Church.
- January 2015 the City received an offset request from the Church for relief of the Road Impact Fee they paid plus 50% of the costs for the roadway improvements they are providing as part of their project:

\$235,825.00	Grading, Drainage & Pavement for Mack Hatcher Improvements
\$ 80,558.00	Signal Modifications
\$ 9,000.00	Signal Design Fee (RPM Transportation Group)
\$ 20,500.00	Roadway Design Fees (BCA)
<u>\$110,000.00</u>	Aldersgate Way Construction (new Cul-de-Sac)
<b>\$455,883.00</b>	<b>Total</b>
- In addition, the Church is asking for the cost of the rights-of-way for Aldersgate Way and a **future local street along their western property boundary (\$110,091.57)**, and the construction of a **greenway path (\$18,000)** and **pedestrian bridge (\$54,443)** to tie the Mack Hatcher Parkway pedestrian path to Harlinsdale Farm Park.

**\$182,534.57 Additional Requested Costs**
- **The following do not qualify for Road Impact Fee Offsets:**
  - ROW dedications are for local streets and do not qualify for Road Impact Fee Offsets.
  - Greenway path and pedestrian Bridge do not qualify Offset of Road Impact Fees
  - Roadway/street improvements
- The City would have to make a contribution to the Church from an alternative funding source to offset these costs should BOMA desire to do so. (Hotel/Motel Tax for the greenway and Capital Investment Bond proceeds or General Fund for roadway, etc.)
- Important to remember the City worked closely with the Church to obtain the ROW to access Mack Hatcher at the approved location of Aldersgate Way, giving up another access. The Church agreed to provide access to the City's property off what is now to be Aldersgate Way.

Mr. Griffeth talked about the overall Site Plan, the greenway, landscaping, the bridge over Spencer Creek, the short City street extension to City property, tie-in with Harlinsdale Manor, another agreement that their drives may be used for emergency vehicles from Franklin Road, providing several rights-of-way for Aldersgate Way, and the traffic light at Spencer Creek intersection. (See above)

Not mentioned in their letter:

- The right-of-way to the western boundary that provides a drive at a cost of **\$14,500** that is of no benefit to the Church
- The help they want with offset fees for this work because a good bit of it is of benefit to others as well as the Church.
- The access from Mack Hatcher would handle the traffic and be of benefit to any future development.

They think it unfair that they have to pay all the costs.

Discussion:

- Alderman Petersen: Parkland dedication isn't required: Facilities Tax could be used for the trail and bridge (**\$72,443**). Aldersgate Way does not touch City property, the extension (**\$14,500**) dead-ends at City property from Aldersgate.
- Eric Stuckey: Road Impact Fee policy is clear that it is for improvement of arterial roads. It improves access to this site but doesn't add to traffic, does not feed to another arterial road, and the signal is already in place. Not recommended for these elements.
- Paul Holzen: Doesn't foresee any City vehicle accessing private property for an emergency unless it is a major disaster. The Church doesn't want to be a bypass for the intersection.
- Alderman Burger: Can see the \$14,550 for the roadway. Doesn't foresee any big developments being built on the property.
- Alderman Martin: Mentioned paying for half of the signal design fee and the strip of road that leads to City property.

- Alderman Skinner: There will be limited access from Mack Hatcher, the state will not allow more access. Cannot predict what could be done with the 52 acres of City property. It won't always lay fallow.
- Major Thoroughfare Plan shows access to Harlinsdale. Reserve 50 ft. right-of-way for future. Potential to go over Spencer Creek to Harlinsdale. The access on Mack Hatcher was closed and moved to Spencer Creek for the church.
- Paul Holzen: ROW going down the western boundary is not part of the Major Thoroughfare Plan.
- The majority of the City property is in the flood plain.
- Vice Mayor Barnhill: Requested expansion of the drawing for better understanding of the area/proposal.
- Alderman Burger: Could the City could put a road from City property (the stub) to Harlinsdale.
- Alderman Petersen: Make sure parkland is looked at in terms of using Facilities Tax.

Proposal will come back for further discussion.

**7. Consideration of a Water Main Construction Agreement (COF Contract 2014-0326) with Rural Plains Partnership for Berry Farms Section 4.**

**Alderman Ann Petersen, FMPC Representative**

No questions or comments.

**8. Consideration of RESOLUTION 2015-15, "A Resolution Authorizing Condemnation for the Acquisition of Right-of-Way and Easements for the SR-96 West Pedestrian Facility Improvements Project."**

**David Parker, City Engineer/CIP Executive**

**Paul Holzen, Engineering Director**

**9. Consideration of RESOLUTION 2015-14, "A Resolution Authorizing Condemnation for the Acquisition of Right-of-Way and Easements for the SR-96 East Pedestrian Facility Improvements Project."**

**David Parker, City Engineer/CIP Executive**

**Paul Holzen, Engineering Director**

Items 8 and 9 are agreements for condemnation, if needed. Mr. Stuckey noted condemnation is rarely used, but the Resolutions are done to keep projects moving forward.

**10. Consideration of an Interlocal Agreement with Williamson County for Automatic Response of Joint Law Enforcement Assistance (COF Contract No. 2015-0050)**

**Deb Faulkner, Police Chief**

Mr. Stuckey related the agreement memorializes what is being practiced for help outside the jurisdiction. Older agreements were in question because of changes in state law. It should also clarify that this does not mean automatic dispatch.

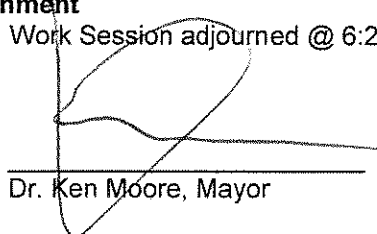
**11. Presentation Regarding Harpeth Square Development Economic Impact**

Presentation unavailable for this meeting.

**Other Business**

**Adjournment**

Work Session adjourned @ 6:26 p.m.

  
Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - updated 4/13/2015 9:21 AM