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**MINUTES OF THE WORK SESSION  
BOARD OF MAYOR AND ALDERMEN  
FRANKLIN, TENNESSEE  
CITY HALL BOARDROOM  
TUESDAY, JANUARY 27, 2015 – 5:00 P.M.**

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**Board Members**

Mayor Ken Moore	P		
Vice Mayor Clyde Barnhill	P	Alderman Dana McLendon	A
Alderman Brandy Blanton	P	Alderman Margaret Martin	A
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	P	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	Lanaii Benne, Assistant City Recorder	P
Chris Bridgewater, BNS Director	P	Linda Fulwider, Board Recording Secretary	P
Becky Caldwell, SES Director	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. Consideration of Event Permit for Americana Cross County Lines Festival at Harlinsdale Farm on May 30, 2015.  

Lisa Clayton, Parks Director

Jed Hilly, Executive Director Americana, explained they've requested three days at Harlinsdale, setup on May 29, Festival on the 30<sup>th</sup>, and cleanup on 31<sup>st</sup>.
2. Consideration of ORDINANCE 2014-41, To Be Entitled "An Ordinance to Rezone 4.48 Acres from Central Commercial District (CC) to Specific Development – Variety District (SD-X 34.17/33,650/115) for Various Properties Located Along Main Street East, First Avenue North, Bridge Street, and Second Avenue North, by the City of Franklin, Tennessee."  

Alderman Ann Petersen, FMPC Representative

Catherine Powers related that the rezoning has been confirmed and is appropriate.
3. Consideration of RESOLUTION 2014-92, To Be Entitled "A Resolution Approving a Development Plan for the Harpeth Square PUD Subdivision with Seven Modifications of Standards (MOS 1 – Setbacks; MOS 2 – Façade Occupancy within Front Setback; MOS 3 – Façade Occupancy with Side Setback of Corner Lots; MOS 4 – Façade Design Variation; MOS 5 – Parkland Dedication; MOS 6 – Tree Canopy Preservation; MOS

7 – Festival Lights), Located at Various Properties within the Block of Main Street East, First Avenue North, Bridge Street, and Second Avenue North, by the City of Franklin, Tennessee.”

Alderman Ann Petersen, FMPC Representative

Ms. Powers reviewed the seven Modifications of Standards that deviate from the Zoning Ordinance:

MOS 1: Setbacks	Request to provide setbacks that are respectful of the existing neighboring buildings, and to align with them to form the building setback line. <i>(Staff recommended approval)</i>
MOS 2: Façade Occupancy within Front Setback	Request for final plans to conform to the development plan PUD as approved by BOMA, for the percentage of primary building wall occupying the front property line. <i>(Staff recommended approval)</i>
MOS 3: Façade Occupancy within Side Setback of Corner Lots	Request for final plans to conform to the development plan PUD as approved by BOMA, for the percentage of primary building wall occupying the side street property line. <i>(Staff recommended approval)</i>
MOS 4: Façade Design Variation	Request a minimum façade variation every 50 feet. <i>(Staff recommended approval)</i>
MOS 5: Parkland Dedication	Request to satisfy parkland dedication requirements with the donation of property located at 1416 Columbia Avenue (16,900 SF) and any short fall in the total parkland dedication fee amount to be paid as fees in lieu. <i>(Staff recommended denial) ***Refer to discussion below***</i>
MOS 6: Tree Canopy Preservation	Request to save only the trees identified on the development plans <i>(Staff recommended approval)</i>
MOS 7: Festival Lights	Request to use festival lights as accents to courtyards. <i>(Staff recommended denial)</i>

\*\*\*Discussion of MOS 5: Parkland Dedication

- The 1416 Columbia Avenue property (former location of a carwash) is now owned by a non-profit entity, and is too far from the Harpeth Square property to be considered parkland for the development. A proposal from Harpeth Square was discussed at length and will be submitted in writing for full understanding of parkland dedication for this development.

#### 4. Discussion Concerning the Harpeth Square Development Draft Road Impact Fee Agreement and Recovery Agreement.

Paul Holzen, Engineering Director

Paul Holzen reviewed the Water and Sewer Recovery Agreement, noting a condition of approval is to upgrade to a 10 inch water main. The water and sanitary sewer improvements will benefit the downtown central business area. The developer is eligible for reimbursement.

Mr. Holzen also reviewed the Road Impact Fee Offset Agreement:

- First Avenue North and Bridge Street. The offset request includes Capacity Improvements Only such as street lights, curb and gutter, and design. Not included, demo, brick sidewalks, crosswalks, street signs limestone street markers, trash receptacles, bike bollards, grading, asphalt, pavement markings, concrete drive apron, landscaping and irrigation. Total estimated offset cost \$771,100.
- Franklin Road/East Main Street restriping and signal modification at East Main Street and First Avenue. Includes modification of pavement markings on Franklin Road and East Main Street to create a dedicated right turn lane for southbound traffic on intersection of East Main Street and First Avenue. Total Estimated Offset Cost \$54,380.
- Intersection improvements and signalization of Bridge Street and Second Avenue: installation of new traffic signal at Bridge Street and Second Avenue. Recommended offset includes design, right-of-way acquisition, decorative traffic signal, pavement, pavement markings, crosswalks, handicap ramps, curb and gutter, signage, drainage, fiber optic interconnect and limited construction management. Total Estimate offset cost \$457,875.

The traffic signal is a safety warrant because of the pedestrian traffic. The Road Impact Fee and Recovery agreements must be finalized before the design or plan is finalized. There are Streetscape features on the Harpeth Square side of the property on Second Avenue and First Avenue North and Bridge Street.

Qualifying fees total approximately \$1.28 million with around \$966,000 in fees to the City. Greg Gamble provided a handout listing the total improvements requested and costs:

	Cost	Qualifying Fees	Harpeth Square Total Fees to City
Water Line 10" Upgrade	\$ 203,750.00	\$ 208,674.00	\$ 518,526.00
		<i>System Dev Fee</i>	<i>Total Water Fee</i>
Sanitary Sewer Upgrade on Bridge	\$ 100,000.00	\$ 343,035.00	\$ 952,182.00
		<i>System Dev Fee</i>	<i>Total Sewer Fee</i>
Street Improvements			\$ 957,481.00
			<i>Traffic Impact Fee</i>
<ul style="list-style-type: none"> <li>• <i>First &amp; Bridge (Eligible)</i> Street Lights, Curb &amp; Gutter, Drainage Pipe and Design</li> </ul>	\$ 771,100.00	\$ 771,100.00	
<ul style="list-style-type: none"> <li>• <i>First &amp; Bridge (Cosmetic)</i> pavers, Sidewalk, Street Marker, Asphalt, Bike Bollards, Trash Cans, Grading Crosswalks, Street Signs, Landscaping Irrigation</li> </ul>	\$ 534,431.00		
<ul style="list-style-type: none"> <li>• <i>Traffic Light on Second Avenue</i></li> </ul>	\$ 457,875.00	\$ 457,875.00	
<ul style="list-style-type: none"> <li>• <i>Main Street Restriping &amp; Signal Modifications</i></li> </ul>	\$ 4,380.00	\$ 54,380.00	
<ul style="list-style-type: none"> <li>• <i>Second Avenue (All Cost)</i></li> </ul>	\$ 496,436.00		
Street Improvement subtotal	\$ 2,314,222.00	\$ 1,283,355.00	\$ 957,481.00
Shortfall			\$ (325,874.00)
Total Improvements Requested	\$ 2,617,972.00	\$ 1,835,064.00	\$ 2,428,189.00

#### Requests to City

- *First and Bridge*
  1. To make asphalt, striping improvements for First and Bridge eligible for offsets
  2. If cost savings are achieved by the Developer, savings may apply toward items identified as cosmetic
  3. To permit flexibility in product selection for streetscape, i.e. Brownstones
  4. Request City to Pay for Bike Bollards and Trash Receptacles
- *Second Avenue*
  1. To make all improvements outside Streetscape (Cosmetic) be eligible (street lights, curb and gutter, asphalt, and striping)
  2. Flexibility in Products for Streetscape
  3. City to Pay for Bike Bollards and Trash Receptacles
- *Main Street Traffic Signal*
  1. Request the City to pay for the restriping and upgrade of signalization for Main Street

Lengthy discussion ensued regarding the above requests to the City:

- As was allowed for the Brownstones on Second Avenue, the developer would like to choose less costly items, comparable in appearance such as street lights, etc. with the savings going toward the Streetscape type amenities.
- Alderman Burger asked Mayor Moore if the Sustainability Commission would consider purchasing the bike bollards and trash receptacles. The Mayor indicated he would refer it to the commission for consideration. Grants and other means of funding mentioned.

Mr. Gerth referred to the Road Impact Agreement saying, either accept it as recommended or include other elements applicable. He emphasized the importance of moving forward with approval so the plan can be presented to the Historic Zoning Commission.

Mr. Stuckey stressed that only road improvements that increase capacity should be considered for road impact fees, all other improvements, such as street beautification should be earmarked from another source, such as Hotel/Motel Tax Fund. If the Board is comfortable with the zoning and infrastructure elements, move those forward at the next meeting. Incentives will take more discussion. More details are needed on parkland dedication. If the Board is interested in an allocation toward Streetscape/beautification from the Hotel/Motel Tax, a draft document can be presented at the next meeting.

The Board was reminded that the applicant can't submit the Site Plan or appear before the Historic Zoning Commission until the Development Plan has been approved.

5. \*Consideration of Recommendation to Reject All Proposals for Firefighter Annual Physical Medical Exam Services for Uniformed Personnel of the Franklin Fire Department (Purchasing Office Procurement Solicitation No. 2015-011).

Rocky Garzarek, Fire Chief

This vendor is closing their Brentwood office. Need to withdraw this item from BOMA agenda.

6. Discussion of Stream Restoration Feasibility Study (COF Contract No. 2014-0119) Results for Jordan Branch in the Meadow at Cool Springs Subdivision (Sliders Knob).

Paul Holzen, Engineering Director

Mr. Holzen related this project is in the initial stage of preliminary design. No decision is needed at this time, just feedback. This is a wet weather conveyance that runs through the subdivision as detention and it is considered to be private. Due to the magnitude of the project, 123 acres, it is more than the HOA could take on. Pictures of the channel, vertical slope, and undercut trees were shown. There have been many complaints received regarding this problem.

Several solutions were reviewed with staff leaning toward Option 1 or Option 2:

- Option 1: Keep channel where it is, narrow channel bottom, construct floodplain bench on each side. Use excavated soil from sloping the banks back to construct floodplain benches. This would allow groundwater to continue to seep from the soil and flow down the channel. Stone toe protection would be installed at channel bends to help stabilize soil benches. Most trees would need to be removed, and replaced with smaller ones. Land would be more manageable and stable.
- Option 2: Raise entire bed of the channel using soil from sloping back the banks to fill the channel, make benches on each side. Most trees would need to be removed, and replaced with smaller ones. There may be a loss of a groundwater source for the newly-created stream channel bottom. More difficult than Option 1 because of risk of losing connectivity to groundwater and not maintaining any of the existing channel bottom.
- Option 3: Armor the banks to stabilize, less invasive but removes a fair amount of trees.
- Option 4 and 4a: provide detention storage to slowly release to wet weather conveyance. To pipe the project would be very expensive. (not recommended)
- Option 5: Do nothing and the HOA continues to maintain. (not recommended)

Need to engage environmental permitting agencies and to look further at the costs involved as well as involve an archeologist.

Discussion:

- Alderman Burger related that she had walked the property and the problem is significant with huge trees along the bank that could fall in. When it rains it fills up with debris and stops the water flow.
- Paul Litchy, 545 Hope Avenue, Franklin, said he has watched this degrade since 1998. It has consumed corners of properties and is very unstable.
- John Sutton, 537 Hope Avenue, related that his home is the most affected by the erosion going deep and wide and coming within two feet of his back fence (with a swimming pool inside the fence). At his own expense, he had some trees removed as a safety measure. The HOA isn't as aggressive about taking out trees. It is truly a safety hazard for children. Mosquitoes, skunks and possums abound. They want to know what the City plans to do about this problem.
- Because of the involvement of archeologists and permitting agencies it could be a year before this is resolved.
- This is in the area which is one of two sites in Tennessee where evidence of prehistoric humans and mastodon bones have been found together.

- It was suggested that for the short-term, the HOA take care of cleanup and make sure the trees are not a safety hazard.

7. **\*Consideration of Lease Agreement Between Williamson County, Tennessee, and the City of Franklin (COF 2015-0003) Concerning the Lease of Property for the Construction and Operation of a Temporary Fire Station.**

Eric Stuckey, City Administrator

City Attorney Shauna Billingsley and her counterpart from the County have been working on the lease. A draft was presented. Mr. Stuckey asked that the Board approve the lease at the voting meeting with the stipulation the City Attorney and the City Administrator be granted authority to approve the final document.

There are some details to be worked out regarding access to the site, the pole barn being left at the site for County use, and the disposition of the mobile home when the temporary station closes. The goal is to have the temporary station operable by the end of February.

8. **\*Consideration of Contract 2014-0340 with Pictometry International for GIS Mapping Update.**

Fred Banner, IT Director

Franklin and Brentwood joint project.

9. **Discussion of FY 2016 Budget Goals**

Russ Truell, ACA Finance & Administration

The FY 2016 Budget Goals were presented for review. Staff would like formal action taken at the February 10 BOMA meeting so the goals can be built into the budget.

Alderman Petersen asked for a small study of bonded indebtedness from 2000 until the present to see how much principal and interest is being paid. Mr. Stuckey suggested adding this with the other financial policies and benchmarks PFM is updating, and that will be done.

10. **Consideration of an Amendment to Contract 2012-0006, a Revolving Loan Agreement with the Franklin Industrial Development Board, Pertaining to the McEwen TIF District and Industrial Development Board Bonds.**

Eric Stuckey, City Administrator

Russ Truell, ACA Finance & Administration

Russ Truell reported on the McEwen Economic Development District aka the TIF District, saying it is doing well and is in the third year of producing more revenue. Staff has been working with Public Financial Management (PFM) to find a way to shave off the duration of the bonds. The letter of credit that backs up the bonds has gotten more expensive and PFM is working to remedy that. It was determined that a direct bank purchase would be more beneficial to the Industrial Board and therefore the City of Franklin.

A bank has been identified and PFM will send a formal proposal to the Industrial Development Board. PFM and the City have compared three approaches to refinancing the outstanding balance.

The fixed rate solution would raise the annual interest payments as follows:

5 year term	2.72%	\$335,920
7 year term	3.14%	\$387,790
10 year term	3.51%	\$433,485

The variable rate solution would decrease the annual interest payments for the first year as follows:

5 year term	0.86%	\$106,210
7 year term	0.88%	\$108,680
10 year term	0.91%	\$112,385

The Board will need to approve amendments to the revolving loan.

11. Consideration of RESOLUTION 2015-06, A Resolution to Affirm Compliance with Federal Title VI Regulations.

Eric Stuckey, City Administrator

Annual resolution. No questions or comments.

Other Business

None

Adjournment

Work Session adjourned @ 6:51 p.m.

  
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Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - updated 2/10/2015 9:03 AM