

### RESOLUTION 2009-13

#### TO BE ENTITLED: "A RESOLUTION TO SET THE 2009 PROPERTY ASSESSMENTS FOR THE HIGHGATE SUBDIVISION AREA SPECIAL ASSESSMENT DISTRICT."

WHEREAS, on July 8, 2008, the Board of Mayor and Aldermen for the City of Franklin approved Resolution 2008-21, "A Resolution To Authorize The Construction Of Sewer Improvements In The Highgate Subdivision Area"; and

WHEREAS, said Resolution 2008-21 established the Special Assessment District for the sanitary sewer improvements for the Highgate Subdivision Area after a public hearing that revealed no objections to said Special Assessment District; and

WHEREAS, the sanitary sewer improvements for the Highgate Subdivision Area have been completed at a cost benefiting the properties within the District of \$204,586.50, which is approximately \$16,500.00 less than the estimated cost of the improvements as provided in Resolution 2008-21;

NOW THEREFORE, BE IT RESLOVED by the Board of Mayor and Aldermen of the City of Franklin, Tennessee, that the 2009 Highgate Subdivision Area property assessments are as follows:

Str #	STREET NAME	PARCEL ID	TOTAL ASSESSMENT
110	Century Oak Dr	053H-A-001.00	\$7,800
107	Engle Ct	053H-A-002.00	\$6,960
106	Engle Ct	053H-A-003.00	\$9,030
104	Engle Ct	053H-A-004.00	\$7,260
108	Century Oak Dr	053H-A-005.00	\$7,613
106	Century Oak Dr	053H-A-006.00	\$7,560
104	Century Oak Dr	053H-A-007.00	\$6,757
102	Century Oak Dr	053H-A-008.00	\$7,500
101	Century Oak Dr	053H-A-009.00	\$5,567
103	Century Oak Dr	053H-A-010.00	\$6,830
105	Century Oak Dr	053H-A-011.00	\$6,907
107	Century Oak Dr	053H-A-012.00	\$7,529
109	Century Oak Dr	053H-A-013.00	\$7,280

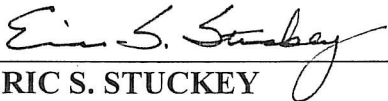
Str #	STREET NAME	PARCEL ID	TOTAL ASSESSMENT
111	Century Oak Dr	053H-A-014.00	\$6,560
113	Century Oak Dr	053H-A-015.00	\$6,902
115	Century Oak Dr	053H-A-016.00	\$7,185
	Century Oak Dr	053H-A-017.00	\$397
125	Century Oak Dr	053H-A-018.00	\$6,419
118	Century Oak Dr	053H-A-019.00	\$7,063
116	Century Oak Dr	053H-A-020.00	\$7,130
114	Century Oak Dr	053H-A-021.00	\$6,922
112	Century Oak Dr	053H-A-022.00	\$6,854
101	Windsor Way	053A-A-001.00	\$7,785
105	Windsor Way	053A-A-003.00	\$6,869
107	Windsor Way	053A-A-004.00	\$6,536
109	Windsor Way	053A-A-005.00	\$8,334
111	Windsor Way	053A-A-006.00	\$7,529
102	Windsor Way	053A-A-007.00	\$7,664
114	Windsor Way	053A-A-008.00	\$9,844
537	Franklin Road	053-007.00	\$0
537	Franklin Road	053-009.00	\$0
<b>TOTAL - 2009</b>			<b>\$204,587</b>

**BE IT FURTHER RESOLVED** by the Board of Mayor and Aldermen that, although the above property assessment for each property within the Special Assessment District is due February 28, 2010, Resolution 2008-21 has established the right of the property owners to pay off their assessment in monthly installments over a ten (10) year term, but such that, if any monthly payment shall become delinquent thirty (30) days after it is due and payable, then the whole balance of the improvement assessment shall become delinquent and be subject to all penalties and interest as provided.

IT IS SO RESOLVED AND DONE on this 26<sup>th</sup> day of May, 2009.

ATTEST:

CITY OF FRANKLIN, TENNESSEE

By:   
ERIC S. STUCKEY  
City Administrator/Recorder

By:   
JOHN C. SCHROER  
Mayor



HISTORIC  
FRANKLIN  
TENNESSEE

## MEMORANDUM

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April 30, 2009

**TO:** Board of Mayor and Aldermen

**FROM:** David Parker, City Engineer/CIP Executive  
Eric Stuckey, City Administrator

**SUBJECT:** Resolution 2009-13 - 2009 Property Assessments for Highgate

### **Purpose**

The purpose of this memorandum is to enable the Board of Mayor and Aldermen (BOMA) to set the assessments for the properties within the special assessment district for the Highgate Subdivision Area Sanitary Sewer Improvement.

### **Background**

On July 8, 2008, BOMA approved Resolution 2008-21, "A Resolution to Authorize the Construction of Sewer Improvements in the Highgate Subdivision Area." This resolution established the special assessment district in accordance with T.C.A. §§ 7-33-101 to 314. The resolution also established the right for the property owners within this district to pay off the total assessment over a term of 10 years at a 4.5% per annum interest rate. In addition, the City's Sanitary Sewer Access Fee and Installation Fee for each property tap have been waived for this district.

Resolution 2009-13 has been drafted to set the assessment for each property within the district for 2009. These assessments are calculated using the final construction costs for that portion of the improvements project that directly benefit the properties within the district.

### **Financial Impact**

The proposed resolution provides for the payback over time of the capital cost (204,586.50) plus interest for the sanitary sewer improvements within the assessment district.

### **Recommendation**

Staff recommends approval of Resolution 2009-13.



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# MEMORANDUM

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## **CITY of FRANKLIN**

### **SPECIAL ASSESSMENT IMPLEMENTATION POLICY FOR THE HIGHGATE SUBDIVISION**

This policy provides the procedures associated with extending the sewer system and services to the residents of the Highgate subdivision in accordance with the Board of Mayor and Aldermen (BOMA) approved actions.

Resolution 2008-21 approved Highgate subdivision to have public sanitary sewer extended throughout the subdivision and created a mechanism for the City of Franklin to recoup its costs for constructing and installing the system by assessing the benefited properties for the costs of construction. Furthermore, Resolution 2008-21 provided that the costs of the total assessment authorized may be paid to the City over a period of ten (10) years in monthly payments. Interest costs shall apply to the monthly payments.

Construction of the Highgate sewer system main was specified by the City and awarded by contract to Civil Constructors on January 27, 2009. The final construction cost of installing the main disposal lines was TWO HUNDRED FOUR THOUSAND FIVE HUNDRED EIGHTY-SIX AND 50/DOLLARS (\$204,586.50). Pursuant to Resolution 2009-13, this is the amount of the costs to be assessed to the individual properties. The City of Franklin absorbed engineering and easement costs.

The majority of the sanitary sewer extension is a low pressure system that requires the installation of grinder pumps for connection for all but three of the properties in Highgate. Specifications were provided by the City and a maintenance agreement is required prior to installation. Residents are responsible for connection costs, including obtaining the necessary permits and abandoning the existing septic systems in accordance with Williamson County regulations as well as on-going maintenance of the sewer system on their property. Separate guidance was provided for the purposes of abandoning the existing septic systems and for installing an acceptable sanitary sewer connection (letter to residents from the City dated April 15, 2009).



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Each property owner is responsible for paying the connection fees (application, SDF and EDF). The City has agreed to waive the Access and Installation fees. Upon issuance of the sewer availability letter by the City, the customer is to pay their portion of these fees in full prior to obtaining the building permits and connecting to the City's sanitary sewer line. Plumbing and electrical inspections will be performed by the City upon completion of the installation and prior to backfilling the sewer line from the house to the street.

The properties identified to be included in this special assessment are identified in Resolution 2008-21. Two (2) properties (053---00700 and 053---00900) are tax exempt and are not included in the assessment. Those properties will have sewer available through sewer extension to the Clearview Baptist Church and funded by the church. The other twenty nine (29) properties will pay the cost of construction and be assessed based on a proportionate share of the assessed value of the property as compared to the total assessed value of the properties. All but one parcel has a residence on the property and the lower assessed value is recognized on the individual assessment.

The assessment shall be made annually and shall be presented on the property tax bill as a separate line item. The assessment will be made each year during the ten (10) years based on properties with balances still outstanding. However, property owners have the option of paying the balance off entirely at any time during the assessment period without penalty. Properties with outstanding balances will be rolled forward and the assessment percent will be reset based on the percent of that property's assessed value to the total for the unpaid balances in that year. Once a property owner has paid the amount of their individual assessment they will no longer be included in the annual assessments.

Monthly payment provisions will be made available to the property owners as a line item on the monthly utility bill presented by the City, and will be interest bearing. The monthly billed amount will reflect the ten (10) year amortization amount including interest for the month. These utility service bills shall be due according to the provisions of the City of Franklin Municipal Code. Failure to pay the utility service bill in full each month in accordance with the City of Franklin Municipal Code payment provisions shall result in the entire assessment amount



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being due and payable within thirty (30) days. Disconnection of water service shall be in accordance with City policy and agreement with the water district. Automatic draft is required for any customer desiring monthly payments.

Utility service agreements will be put into place with each property owner for continued service. These agreements shall be specially developed outlining responsibilities and the uniqueness of the particular assessment district. Property ownership changes shall result in the entire assessment being due immediately and to be paid to the City prior to sale of the property and obtaining utility service from the City.

Accounting transfers shall occur monthly to transfer monies collected thru the utility service bill to the applicable assessment accounts. Individual loan accounts will need to be established for each customer loan account and software will need to be obtained to ensure the City's investment is repaid.