

**MINUTES OF THE WORK SESSION  
BOARD OF MAYOR AND ALDERMEN  
FRANKLIN, TENNESSEE  
CITY HALL BOARDROOM  
TUESDAY, MAY 22, 2018 – 5:00 P.M.**

**Board Members**

Mayor Ken Moore	P		
Vice Mayor Margaret Martin	P	Alderman Beverly Burger	P
Alderman Clyde Barnhill	P	Alderman Dana McLendon	P
Alderman Brandy Blanton	P	Alderman Ann Petersen	P
Alderman Pearl Bransford	P	Alderman Scott Speedy	P

**Department Directors/Staff**

Eric Stuckey, City Administrator	P	Jack Tucker, SES Director	A
Vernon Gerth, ACA Community/Economic Dev	P	Lisa Clayton, Parks Director	P
Mark Hilty, ACA Public Works	A	Michelle Hatcher, Water Management Director	P
Kristine Tallent, ACA/CFO	P	Paul Holzen, Engineering Director	P
Shauna Billingsley, City Attorney	P	Emily Hunter, Planning & Sustainability Director	P
Deb Faulkner, Police Chief	P	Kevin Townsel, HR Director	P
Rocky Garzarek, Fire Chief	P	Joe York, Streets Director	P
Jordon Shaw, IT Director	P	Lanaii Benne, Assistant City Recorder	A
Chris Bridgewater, BNS Director	P	Linda Fulwider, Board Recording Secretary	P

**Call to Order**

Mayor Ken Moore called the Work Session to order at 5:02 p.m.

**Citizen Comments**

- Martin Dunn, 147 Lancaster Drive, Harpeth Meadows: Annexation Priorities. The population was 6,000 when he moved here. Now there are many new developments with much being done for those moving into Franklin. Funds are needed for those who have been here. As an Alderman has said – don't forget about the needs of current residents.

**WORK SESSION DISCUSSION ITEMS**

1. **18-0431 Presentation of Franklin Locals Program by Downtown Franklin Association**  
**Joni Cole, Franklin Locals Program**  
 The on the street greeters will wear shirts with a logo: I'm A Franklin Local Volunteer.
  - ◆ Mission Statement: Volunteer greeters provide an amazing welcome with authentic Franklin hospitality to all who visit.
  - ◆ Brand Promise: Helping visitors experience Franklin like a local.
 Ms. Cole named the companies and people involved in the program, some of which were present. City representatives are involved as well. Training of the ambassadors consists of 4 hours classroom training with guest speakers providing the history of Downtown Franklin, etc. The target area is Main Street from the Square to 5<sup>th</sup> Avenue. The program launch is July 1, 2018.
  
2. **18-0439 Presentation of Self-Insured Workers Compensation Program**  
**Kevin Townsel, HR Director**  
 Deferred
  
3. **18-0415 Consideration of Procurement Award to PMA Management Corp. of Nashville, Tennessee for Third-Party Administrator Services for Workers Compensation Self-Insurance Program, if Implemented. Effective July 1, 2018, for the Risk Management Division of the Human Resources Department (Purchasing Office Procurement Solicitation No. 2018-016; Contract No. 2018-0099)**  
**Kevin Townsel, HR Director**  
**Sara Sylvis, Benefits Manager**

Deferred

4. 18-0136 **Consideration of Event Permit for Race to Cure Sarcoma 5K in the Berry Farms area on October 6, 2018.**  
**Deb Faulkner, Police Chief**  
No questions or comments
5. 18-0521 **★Consideration of Event Permit for Harpeth River Bike Ride sponsored by the Harpeth Bike Club on June 2, 2018.**  
**Deb Faulkner, Police Chief**  
No questions or comments
6. 18-0487 **★Consideration of Liquor License RENEWAL for Case Select Wines and Liquors (Thomas Michael Klaritch and John Matthew Klaritch, Managing Agents) 3046 Columbia Avenue, Franklin, TN 37064.**  
**Lanaii Benne, Assistant City Recorder**  
No questions or comments
7. 18-0485 **★Consideration of Certificate of Compliance RENEWAL for Wine in Grocery Stores for SFM, LLC d/b/a Sprouts Farmers Market #580 located at 1010 Murfreesboro Road, Suite 194, Franklin, TN 37064 (Nicholas Hogstad, Managing Agent; Amin N. Maredia [Chief Executive Officer], Brandon F. Lombardi [Chief Legal Officer/Secretary], and James Nielsen [Chief Operating Officer, Executive Officers.]**  
**Lanaii Benne, Assistant City Recorder**  
No questions or comments
8. 18-0510 **★Consideration of Purchase from Axon Enterprise, Inc. of Scottsdale, Arizona in the Total Amount of \$733,147.44 Over Five Years Including \$217,483.44 in the First Year and \$128,916 Per Year in Years Two through Five for Body-Worn Cameras and Related Software, Hardware and Services for the Police Department (Total of \$332,850 budgeted in four line items for Fiscal Year 2018; Contract No. 2018-0027).**  
**Deb Faulkner, Police Chief**  
Items 8 & 9 addressed together.
9. 18-0511 **★Consideration of Purchase from Axon Enterprise, Inc. of Scottsdale, Arizona in the Total Amount of \$724,090 Over Five Years Including \$201,322 in the First Year and \$130,692 Per year in Years Two through Five for In-Car Cameras and Related Software, Hardware and Services for the Police Department (Contract No. 2018-0028).**  
**Deb Faulkner, Police Chief**  
Implementation of body cameras has been in the works for about two years, including work with the State to enact a law to protect citizens with the use of body and dash cameras. Dash cameras have been in use for many years. The body cameras have been field tested several times.  
The purchase is through an existing cooperative purchasing arrangement and is included in the budget. The warranty is all inclusive with a 5-year contract.
10. 18-0506 **Discussion of the USACE Harpeth River Watershed Feasibility Study and the Recommended Project Options for the City of Franklin (Flood Study, Corps of Engineers).**  
**Paul Holzen, Engineering Director**  
**Jonathan Marston, Engineering Assistant Director**  
**William Banks, Staff Engineer I (Capital Improvements)**  
Eric Stuckey related that many detailed studies from the 2010 flood have been done. This is looking at the entire basin. Staff worked with Nashville and Brentwood and a cost basis analysis was done for two potential projects in Franklin.

Two projects were identified as a net benefit by the Army Corps. One project includes box culverts under Franklin Road to help with flooding. The other project is the opportunity to elevate a number of homes to get them out of the floodplain.

Paul Holzen explained the nonstructural home elevation project details:

- Program must be sponsored and administered by the City of Franklin and the U.S. Army Corps of Engineers (USACE).
- It is a voluntary program for the 26 homes that qualify.
- Eligible homes are elevated above the 100-year flood zone level.
- Estimated cost \$2.5 million. The USACE agrees to pay for 65% of the actual construction and temporary relocation (up to 3 months) costs (\$1.6 million). The City and/or homeowner would be responsible for the remaining 35% of required construction funding (\$875,000).

Options:

1. City of Franklin participates in the home elevation project with USACE through the Project Partnership Agreement for design and construction. The USACE agrees to pay for 65% of the actual construction and temporary relocation costs. The 35% of remaining Non-Federal project costs are solely paid for by the homeowner. The City only acts as the project sponsor and administrator.
2. City of Franklin participates in the home elevation project with the USACE through the Project Partnership Agreement for design and construction. The USACE agrees to pay for 65% of the actual construction and temporary relocation costs. The 35% of remaining Non-Federal project costs are solely paid for by the City.
3. City of Franklin participates in the home elevation project with the USACE through the Project Partnership Agreement for design and construction. The USACE agrees to pay for 65% of the actual construction and temporary relocation costs. The 35% of remaining Non-Federal project costs are paid for by both the City and homeowner. The City and homeowner would both pay a percentage of the remaining 35% construction costs. This City/homeowner split can be developed by the Board, e.g. 90/10, 75/25, 50/50, etc.
4. City of Franklin does not participate in the home elevation project.

(A letter from a Ewingville Drive resident is included in these minutes)

Discussion:

- Should the City participate in the elevation of private homes using local dollars?
- In the past, some individuals paid to have their homes elevated.
- The elevation for the 26 homes would be between 4' to 10' in Rebel Meadows, Monticello and Ewingville subdivisions.
- Alderman Petersen showed exhibits from a binder prepared by the USACE at the request of the Mayor and Aldermen in 1968. Most of the homes were on the west bank on high ground and some were elsewhere and vulnerable to flood. Hillsboro Road experienced floods in 1948 and 1951. Harpeth Meadow, Old Liberty Pike and a part of Lancaster Drive are in the 500-year floodplain. Further west, many homes are in the 100-year floodplain. Ewingville @ 96-E is in the 100-year floodplain. From 1969-1975 at least 16 of the houses discussed tonight were built after the report was given to BOMA in July 1968. Those aren't the only ones allowed to build during that time even though it was known they were in the floodplain. For those 26 houses, the homeowners suffered devastation and costs. The City was at fault. For this reason, she supports Option 2 with money from the Stormwater Fund.
- Alderman McLendon thought it a dangerous precedent to blame the City when any number of things could have been in play at the time. Is it as much the buyer's fault for buying a house in the floodplain? That is a policy conundrum we could never solve. We should pay, because not to pay would be departing from our policies. This is an opportunity to leverage 65% federal funds to protect the owners from flooding.
- Alderman Bransford noted this is a voluntary program for the homeowners. She supports 100% or a 90/10 ratio of the 35%.

- Alderman Speedy said it increases the fair market value of the home. He supported using Stormwater Fund dollars.
- There would be a decent reduction in insurance for the homeowners.
- Alderman Blanton has heard from Lancaster residents and others that not everyone would be able to afford to share the cost; however, everyone needs to take responsibility. She supports the 90/10 share of the 35%.
- We didn't ask the people from Battle Avenue to chip in for homes and the 15' deep hole. That would be against policy to do what Aldermen Petersen and Speedy said. Some say not to bail out anyone. That isn't useful when trying to make a community better. On almost every project we spend money over and above. If we didn't have the federal funds available it would be different. Raise or raze some to save homes from flooding. Should do both with no money back.
- Charles Marston, 129 Ewingville Drive: He is on a fixed income. Six of the homes are occupied by single ladies. Who, of them, could spend \$3,500. He isn't crazy about 10-15 more steps to get into his house either. It's difficult for the older generation.
- Mr. Holzen said purchasing is an option. The value of razing would be paid by the USACE with the balance paid by the owner. It would cost around \$8 million to buy all 26 houses.
- Mr. Stuckey responded that is not a viable option financially. Staff needs direction from the Board.
- Mayor Moore asked that staff find out what the homeowners want to do, who wants to elevate and who wants to raze.
- Alderman Burger commented that she doesn't like to make reparations for past mistakes. Where does this stop?
- Franklin Road improvements will take some of these homes out of the floodplain.

This item will be discussed again at the next Work Session.

11. 18-0509 ★ **Consideration of COF Contract No. 2018-0079 Harpeth River Periphyton Sampling with Civil and Environmental Consultants, Incorporated, for Periphyton Algae Sampling in the Harpeth River in Support of the EPA's TMDL Development.**

**Michelle Hatcher, Water Management Director**

This consultant will help with the total maximum daily load study.

12. 18-0498 **Consideration of Strategic Action Plan Proposal for Creating Affordable and Workforce Housing Options in the City of Franklin.**

**Eric Stuckey, City Administrator**

**Vernon Gerth, Assistant City Administrator C&ED**

This is a \$24,400 proposal from Strategy and Leadership, LLC to focus on strategic planning for affordable housing. Several entities are interested in affordable housing and it's time to get everybody together to understand their respective roles. This is a complicated quality of life issue in the community.

Discussion:

- Mort Stein, 1627 Kinnard Drive: Stated he was not representing any group or organization. He only sees what has been repeated the last 20 years, and the consultant won't propose anything different than what has been done before. The City doesn't need to spend \$24,000. The City needs to do this using the information they already have.
- Scott Black, 117 Bromley Park Lane: Read a prepared statement about affordable housing and doing the right thing. Reduce the demand on transportation. Locate things closer together. Do it for people living and working here. Inclusionary zoning. BOMA vs. Legislature – work to eliminate the legislative action that took the power away from cities.
- Alderman Blanton: Does not support spending \$24,000. It is a slap in the face of the Housing Commission. She has seen the housing entities work together and get along well.

- Alderman Speedy: Would like to see the strategic plans of each entity.
- Alderman Bransford: You can talk about consultants but we are the ones who make the decisions. This Board needs to man up when plans and ideas come to us. We must make that bold move and create those action steps.
- Alderman Barnhill: Affordable housing and workforce housing are two different things. He is looking at workforce housing.
- Mr. Gerth: Other communities have strategic housing plans. In talking about the Hill property, are 25-30 homes enough? Is it workforce or affordable housing? He hasn't seen that we know where we are headed. Where is the focus on achieving single family detached, or attached housing? It's been just projects here and there. Is there a common vision?
- Alderman McLendon: The players are known and their positions and we need to do something. He is prepared to take steps with an identifiable project that is here right now. Action, not another round of conversation. No one will change anyone's mind, not even a facilitator. Policymakers listen and do what people want to do. Sometimes, policymakers need to lead. No more excuses.
- Alderman Barnhill: Doesn't think the issue is townhouse or single-family homes we have a project now we can look at.
- Alderman Burger: All the organizations have things going. Sees disjointed efforts. Bring them together for a plan without spending \$24,000.

**13. 18-0508 Presentation and Discussion on Proposed Changes to the City's Municipal Code, Title 18, Water and Sewer Impact Fees, Irrigation Fees.**

**Kristine Tallent, ACA/CFO**

**Mike Lowe, Comptroller**

**Michelle Hatcher, Water Management Director**

**Description of Impact Fee:**

- System Development Fee (SDF) – Entity making connection to the public water system, fee is made for the purpose of enabling the City to repair and replace its facilities (Water and Sanitary Sewer)
- Access Fee (AF) – Fee paid to the City for purpose of providing funds for additions, replacements, improvements, and expansions to the City's water distribution and sanitary sewer collection systems, such improvements being required periodically for growth. (Water and Sanitary Sewer)
- Impact Fee = SDF + AF (combining the two fees will make recordkeeping easier)
- Effluent Disposal Assessment (EDA) Fee – Paid for the purpose of enabling the City to dispose of treated wastewater to repair, replace and expand its reclaimed water facilities, as necessary, and to reduce the impact of increased potable water demand on the Franklin Water System; not part of the impact fee discussion.

**Existing Impact Fee Structure:**

- Existing structure is complicated in terms of application and accounting
  - The distinction between the two categories within each utility is unnecessary
- Current structure is not nimble enough to respond to evolving priorities related to capital needs
- Limits the City's ability to use available funds based on a snapshot in time of capital investment projects.

**Impact Fee Fund Structure – Proposed Solution**

- Consolidate Water and Wastewater SDF and Access Fees into a Water Impact Fee and Wastewater Impact Fee (moving from 4 fees to 2)
- The Proposed changes continue to restrict the use of impact fees for capital needs of the system while allowing for flexibility as capital priorities are identified.
- Consideration of ordinance that makes these changes for implementation by June 30, 2018.

Summary of Title 18, Chapter 1 Revisions were explained, as well as Summary of Title 18, Chapter 2 Revisions.

**Existing Water and Sewer Fee Implementation Methodology**

- Based on meter size and specific fund structure (does not include installation fee)
  - Can limit equitable assessment of fees depending on demands – impacts costs to developers and impact fee revenues for the City

- Creates a natural incentive to downsize meters versus appropriate meter sizing.
- Discourages the use of fire suppression systems
- Unnecessarily complicated

Proposed Impact Fee Implementation Methodology

- Methodology to be presented Summer 2018
- Proposed Methodology – based on Single Family Unit Equivalents (SFUE)
  - Provides equitable assessment of fees based on projected demands by the developer as verified by City Staff
  - Fees tied to projected demands (versus meter size) that drive capital investments and planning
  - Encourages meter sizing based on demands; eliminates meter sizing decisions based on fees
  - Encourages the use of fire suppression systems
- Impact Fee for Single Family Home = 1 SFUE (350 GPD)
- Multi-family homes can be assessed at a fraction of a SFUE
- Non-Residential Impact Fees based on multiples of the SFUE
- Proposed impact fee implementation methodology amounts to be determined

Irrigation Meter Impact Fee Discussion

- Irrigation Meter Water Rates (Potable water)
  - Inclining rate structure to capture costs associated with large demands caused by irrigation and other uses
- Sewer Revenues Associated with Irrigation
  - Declining Rate Structure – Acknowledges that increased water consumption can be associated with irrigation and other uses that may not enter the wastewater stream.

Irrigation Fees Alternatives

- Winter Pricing Model
  - Potential impact to wastewater revenue between \$2-\$3 per customer per month based on evaluation of residential, inside City customers (2016)
  - Encourages increased use of potable water for irrigation
    - Consider reevaluating inclining rate structure
- Reduction in irrigation Meter Impact Fee
  - Improves the return on investment for customers
  - Actual cost of typical installation is approximately \$1,615 (3/4" residential irrigation)
    - Complete tap installation fee: \$756; however, Code allows for recovery of full cost
  - Current irrigation impact fee plus installation fee: \$3,150 + \$756 = \$3,906 (3/4" residential irrigation)
  - Current potable water impact fee = \$2,089 + \$756 = \$2,845 (3/4" residential potable)
  - Encourages increased use of potable water for irrigation
    - Consider evaluating rate structure for irrigation only customers

To be brought back to another Work Session.

14. 18-0491 ★Consideration of ORDINANCE 2018-10, an Ordinance to Adopt a Budget for Fiscal Year 2018-2019. Establishing a Public Hearing Date of June 12, 2018.

Eric Stuckey, City Administrator  
Kristine Tallent, ACA/CFO

Michael Walters Young, Budget & Strategic Manager

No questions or comments

15. 18-0492 ★Consideration of ORDINANCE 2018-11, an Ordinance to Establish a Property Tax Rate for FY 2019. Establishing a Public Hearing date of June 12, 2018.

Eric Stuckey, City Administrator  
Kristine Tallent, ACA/CFO

Michael Walters Young, Budget & Strategic Manager

No questions or comments

16. 18-0493 ★ **Consideration of ORDINANCE 2018-12, an Ordinance to Amend Appendix A, Chapter 17, of the Municipal Code regarding Refuse and Trash Disposal Rates. Establishing a Public Hearing Date of June 12, 2018.**

**Eric Stuckey, City Administrator  
Kristine Tallent, ACA/CFO  
Michael Walters Young, Budget & Strategic Manager**

No questions or comments

17. 18-0494 **Consideration of RESOLUTION 2018-41, a Resolution Adopting the Estimate of Revenues and Expenditures for the Water and Sanitary Sewer Utility Fund for Fiscal Year 2018-2019, and Providing an Effective Date.**

**Eric Stuckey, City Administrator  
Kristine Tallent, ACA/CFO  
Michael Walters Young, Budget & Strategic Manager**

No questions or comments

18. 18-0354 **Consideration of RESOLUTION 2018-42, To Be Entitled: “A Resolution to Initiate a Plan Amendment to Envision Franklin for the City-Owned Property at 403 and 405 Fifth Avenue North, known as “The Hill Property”.**

**Vernon Gerth, Assistant City Administrator/C&ED  
Emily Hunter, Planning/Sustainability Director  
Kelly Dannenfelser, Planning Supervisor  
Annette Whitehurst, Land Planner**

Resolution 2018-42 shows the options that were discussed at a previous Work Session. Tonight’s discussion is not about the example designs that were shown, rather the land use to go forward.

The three options for land use:

- A. Leave Envision Franklin “as is” with the Hill Property remaining in the Recreation Design Concept.
- B. Initiate an Envision Franklin Plan Amendment to revise the Hill Property to Mixed Residential, which could include a mix of single family homes, townhomes, and big houses, with a special consideration for secondary access outside the floodplain for public safety purposes.
- C. Initiate an Envision Franklin Plan Amendment to revise the Hill Property to Compact Residential, single family detached homes only, with a special consideration for secondary access outside of the floodplain for public safety purposes.

Discussion:

- 🗨️ John Besser, 532 Ridgestone Drive: Housing Commissioner. Supports the change to Mixed Residential. It is an opportunity for attainable workforce housing.
- 🗨️ Starr Beaudoin, 217 Greystone Drive: The Hill is an opportunity to meet community needs for affordable housing.
- 🗨️ Brant Bousquet, 109A Battlefield Drive: There are three non-profits that know what they want to do, and Franktown has expressed interest in locating there. The concern of having no access should there be a flood has been addressed. A second emergency access can be placed on the side of the property facing Mt. Hope Cemetery. Land prices are going up and up. Now is the time to act.
- 🗨️ Mrs. Frances Patton, 931 Glass Street: Please consider affordable homes.
- 🗨️ Stephen Murray, Executive Director, CHP/Williamson County: Supports affordable homes on The Hill.
- 🗨️ Ronald Crutcher, 1324 Adams Street: Urged the Board to adopt Option B, Mixed Residential. There is a desperate need for housing for people who work here. Too many Franklin employees live outside the City.
- 🗨️ Demontrey Grigsby, 113 Johnson Circle 4b: Franktown Open Hearts has been important in his life playing a big part in his successes and getting his Associates Degree. Supports allowing Franktown to occupy one of the buildings on The Hill.

- Tevin Smith, Franklin: The median price for housing in Franklin is \$500,000. Affordable housing isn't being built. He grew up in Franklin. Franktown Open Hearts impacts lives and changes them for the better. He supports Franktown being a part of The Hill.
- Timmy Wilson, Franklin: He was one of the first to go through Franktown Open Hearts. He lost both his parents before he was 15. He chose Franktown rather than go the path of drugs and gangs. They impacted his life and the lives of so many others. Supports Franktown on The Hill.
- J. Edward Campbell, 1809 Turning Wheel Lane: The City has officers who live in Smyrna and other towns because they can't afford to live in Franklin. They can serve here but they can't drive their police vehicles home. Option B is not a cure, but will help with workforce housing.
- Jeff Walker, 604 Cloverbrook Lane: A local resident and former Franklin firefighter who couldn't afford to live here. Franktown Open Hearts – He has seen these guys grow up having a place to go, grow and learn life skills. Please consider mixed use with Franktown and affordable housing.
- Lillian Stewart, 201 Lewisburg Avenue: Supports non-profit organizations to construct long-term affordable housing. To mitigate, if not cure, affordable housing for people to work and live in Franklin. Property needs to be made available for this project.
- Alderman McLendon: Supports affordable housing on The Hill on one condition, that Franktown or another non-profit entity be included. A building for Franktown or a Scout Troop.
- Alderman Bransford recognized the Franktown students in attendance and asked them to stand.

**Other Business**

None

**Adjournment**

Work Session adjourned @ 7:16 p.m. BOMA meeting will convene @ 7:30 p.m.

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Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 6/15/2018