

**MINUTES OF THE WORK SESSION
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, OCTOBER 23, 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	
Vernon Gerth, Assistant City Administrator	P	Lisa Clayton, Parks Director	
Mark Hilty, Assistant City Administrator	P	Michelle Hatcher, Water Management Director	P
Kristine Tallent, Assistant City Administrator	P	Paul Holzen, Engineering Director	P
Shauna Billingsley, City Attorney	P	Emily Hunter, Planning & Sustainability Director	P
Deb Faulkner, Police Chief		Kevin Townsel, HR Director	P
Rocky Garzarek, Fire Chief		Joe York, Streets Director	P
Jordon Shaw, IT Director		Lanaii Benne, Assistant City Recorder	P
Chris Bridgewater, BNS Director	P	Linda Fulwider, Board Recording Secretary	P

Call to Order

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

Citizen Comments

No one came forward to speak.

WORK SESSION DISCUSSION ITEMS

1. 18-1054 Discussion with Elaine B. Beeler, Clerk and Master of William County Chancery Court, Regarding Parking Garage.

Alderman Dana McLendon

Elaine Beeler distributed copies of her safety concerns in the 4th Avenue Garage:

Entrance

- ♦ No pedestrian signs
- ♦ No markings on sidewalk or in garage for pedestrian walkway

Elevator and Stairs

- ♦ 50% of users must cross the “roadway” to get to elevator or stairs
- ♦ Logical crossing is at turn

Roadway

- ♦ No restrictions on speeds
- ♦ No pedestrian walkway warnings
- ♦ Straightaways become acceleration lanes
- ♦ Inside lane at turns

Solutions

- ♦ Orange crosswalk markings at Entrance on sidewalk and in garage
- ♦ Sign at entrance to stop for pedestrians
- ♦ Signs throughout to watch for pedestrians and backing cars

- ◆ Speedbumps at turns

Ms. Beeler said she was hit by a car while walking to the elevator. There are no pedestrian walkways or markings. Drivers can't see who is walking and those walking aren't looking for cars. There are many speeders going through the garage, and the drivers take the inside lanes at the turns making it hazardous for pedestrians trying to exit the garage. The curves are tight, and speedbumps would cause the drivers to slow down.

2. 18-1026 Presentation of Downtown Neighborhood Association Survey Results by Lynne McAlister.

Lynne McAlister, new DNA president, presented the concerns from a Downtown Neighborhood Association member survey:

Traffic and Parking – 82% of DNA members agree or strongly agree the City should provide more public parking downtown.

34% listed concerns around parking or traffic in downtown.

- ◆ Parking restrictions
- ◆ Residential parking permits
- ◆ Speed Limit enforcement

In residential sections people are parking up to the sidewalk. Residents are unable to get in and out of driveways and have trouble finding parking spaces close to their homes. DNA member Walt Green is calling other cities to see how they handle parking.

Sidewalks and Walking Paths in Downtown Area – 86% of DNA members support sidewalks and walking paths being added or repaired in downtown.

28% listed sidewalks, walking paths, streetscapes or safety on sidewalks.

- ◆ Better crosswalk visibility
- ◆ Walking path along the Harpeth
- ◆ Repairing sidewalks

Historic Zoning Standards for Infill Development – 87% of DNA members either agree or strongly agree the DNA should advocate for maintaining the overlay standards on new infill building.

Short-term Vacation Rentals – 29% agree or strongly agree with having short-term vacation rentals in their neighborhood, while 52% disagree or strongly disagree with having short-term vacation rentals in their neighborhoods.

Alderman Burger suggested the association check with Charleston about their residential parking.

Ms. McAlister said they are looking forward to working with the City. She invited the Board to attend the Associations Christmas Party. Copies of the new DNA logo with a list of officers and Board were distributed.

3. 18-1048 Presentation of Franklin Tomorrow's Program 'On The Table' by Mindy Tate. On the Table: Tuesday, October 30-November 3, 2018

- ◆ One day community engagement initiative
- ◆ Franklin-wide community conversations
- ◆ Small groups of 8-12 people

- ◆ Everyone is invited to host or attend
- ◆ 135 community members expressed interest in hosting an On The Table event either at Breakfast With The Mayors, at their work, at a public venue or in their home.
- ◆ 3 in-person training sessions offered
- ◆ 86 Hosts attended
- ◆ Over 30 private enters will occur
- ◆ 20 Public Events listed
- ◆ It is important to RSVP for the event you will attend.
- ◆ To register: www.franklintomorrow.org/onthetable
- ◆ There will be a survey for those who attend these conversations.
- ◆ An opportunity to meet someone new.
- ◆ Franklin Tomorrow hopes this will spark people to become more engaged in the community. They appreciate the support of the community coming together.

4. 18-1101 ★Consideration of RESOLUTION 2018-97, A Resolution to Clarify COF Contract No. 2017-0145 with Franklin Special School District (FSSD) and Williamson County Relative to the Additional One-Half Percent Sales Tax.

Alderman Dana McLendon

- ◆ Alderman McLendon spoke of the Resolution presented at the last meeting that would have extended the agreement by six months. Some misunderstood the intent of the resolution. His intent was the County and FSSD both receive benefit. When the County Mayor made his presentation to this Board, he did not mention FSSD. But, in the Community it was pitched that it would be split. The way it was pitched was that FSSD would get their fair share.
- ◆ Alderman Burger: This resolution doesn't say FSSD will share. She hopes the other party (the County) will come to their own conclusion. It would be up to the County to share the money.
- ◆ Alderman Petersen: Extra money to schools on any sales tax has been split with FSSD. The money we redistributed is the problem. Interlocal agreement was to pay school debt and not be used any other way. We don't have the right to require them to divide it, but we can request the County schools to do this.
- ◆ Vice Mayor Martin: She thought the money was going to the County schools because they need new schools and the FSSD does not.
- ◆ Alderman Bransford: She wouldn't want FSSD not to benefit from this; however, the problem won't be solved by just doing this. The intent was they were to benefit as well. We can't go to the next step because the action doesn't belong with BOMA.
- ◆ Alderman Barnhill: The resolution said it was our intent, and he assumed it would be the normal split. He didn't think taxpayer money should be taken. The intention was to share the money according to State Law. The six-month extension would have given FSSD taxpayer money.
- ◆ Alderman Speedy: The County Commissioners did approve to enter into the amended interlocal agreement to include FSSD as a party in the agreement. Perhaps they hadn't understood the extension would mean the City would not receive the extra \$4 million of taxpayer money.
- ◆ Alderman Blanton: Voted in favor of the split. The flyer clearly stated it would be distributed between the two. It didn't get into the legal documents. The way we usually do the split with the schools remains the same.

5. 18-1056 ★ **Consideration of COF Contract No. 2018-0211, Assignment and Assumption of Cool Springs Conference Center with Chartwell Hospitality.**

Eric Stuckey, City Administrator
Shauna Billingsley, City Attorney
Kristine Tallent, Assistant City Administrator

Items 5 and 6 taken together

6. 18-1059 ★ **Consideration of COF Contract No. 2018-0212, Estoppel Agreement with Chartwell Hospitality Regarding Operation of Cool Springs Conference Center.**

Eric Stuckey, City Administrator
Shauna Billingsley, City Attorney
Kristine Tallent, Assistant City Administrator

Change in ownership of Hotel and operation of the Conference Center transferred to a local entity, Chartwell. The transfer will be made in early November. Ms. Tallent and Mr. Stuckey answered Alderman Burger's questions about which parts of the property were considered Conference Center property. Many systems are intertwined. Shared costs are based on usage.

7. 18-1040 **Consideration of DRAFT RESOLUTION 2018-91, A Resolution to Adopt a New Administrative Services Agreement with ICMA Retirement Corporation for the City's 401(a) and 457(b) Deferred Compensation Plans.**

Eric Stuckey, City Administrator
Kristine Tallent, Assistant City Administrator
Kevin Townsel, Human Resources Director

This resolution applies to all deferred pension plans. There are six plans. The 29-basis point administration fee has been eliminated for a term of five years.

8. 18-1066 **Consideration of Procurement Award to Findley, Inc. of Brentwood, Tennessee in the Estimated Annualized Amount of \$39,400 for Closed Employee Pension Plan and OPEB Actuarial Consulting Services for a Term of Award (Purchasing Office Procurement Solicitation No. 2019-001; Contract No. 2018-0225).**

Kristine Tallent, Assistant City Administrator
Kevin Townsel, Human Resources Director

A request for proposal of actuarial services had not gone out for a few years. Three proposals were received from this request: There was extensive review of the proposals and two of the entities were interviewed and scored. Findley of Brentwood was deemed the best fit for the City. This provider is also actuary for TCRS and other cities like Franklin.

9. 18-1003 **Discussion of an Access Management Plan as the Preferred Design Concept for the Columbia Avenue Widening & Improvements Project.**

Paul Holzen, Director of Engineering
Jonathan Marston, Assistant Director of Engineering

Engineering met with the business owners on Columbia Avenue who had asked for a meeting and many issues were resolved. About six owners are not in agreement.

Update:

- ♦ Auto Master/O'Reilly – shared access.
- ♦ Crutcher's - still want front access
- ♦ Guitar Shop - no objections to access to Century Court

- ♦ Quilting Shop - wants another access if provide shared access to traffic signal. One or the other. The access to the light is better.
- ♦ No change to Corner Pub.
- ♦ Kroger fuel station - proposing to close access. An amendment to the plat is needed for right in/right out. Have repeatedly told Kroger to amend the plat.
- ♦ Williamson Funeral - East side sidewalk. Owner not in favor of the sidewalk. Mr. Holzen said the sidewalk is not intrusive.

Discussion:

- ♦ Alderman Blanton said she has had meetings with some property owners, and continues to meet with others. It is important to get this right and accommodate business owners as much as we can. Make sure there are no misunderstandings.
- ♦ Alderman Petersen: James Avenue is not a good way to exit businesses except to turn north on Columbia Avenue.
- ♦ Mr. Holzen replied this conceptually has been here for the Board. Staff is working with MTEMC. There will be a bigger impact than shown here. Lighting is going on utility poles so construction can be done at night.

10. 18-1047 Presentation and Discussion of Recommended Changes to Neighborhood Meetings Required as Part of the Planning Review Process.

Planning & Sustainability Department

Emily Hunter, Director

Amy Diaz-Barriga, Planning Supervisor

Examining the Neighborhood Meeting Process

Goals of a neighborhood meeting

- ♦ Make neighboring properties aware of a potential development in their area
- ♦ Provide a forum for citizens to learn about the potential development early in the process, and
- ♦ Allow an opportunity for citizens to suggest small-scale changes that could make the development more palatable for the neighborhood.

Stress the timing in the planning process

- ♦ The meeting is one of the first steps in the process.
- ♦ The plan at this point is conceptual. Further review by staff is required, to ensure that it is meeting the goals and requirements of the City.
- ♦ There will be several opportunities for public comment once the plan is further developed.
- ♦ The meeting is a requirement, and staff has not yet made a determination on whether the plan will be supported.

Proposed Changes

- ♦ Change *meeting format* to encourage productive dialogue and to provide more one-on-one conversation between the developer and citizens.
- ♦ Change the *mailing* to be less technical and more narrative and to provide more helpful information prior to the meeting.

Open House Format

- ♦ Smaller tables staffed with the development team
- ♦ Clarify to developers the expectation to provide multiple staff members to run tables/stations
- ♦ One station for city staff, for zoning and process questions
- ♦ Developer can choose to do a quick presentation, but should take questions at stations
- ♦ Developers can choose to use a third-party presenter or facilitator that can more effectively guide a potentially contentious meeting

Highlight Process

Design

- ♦ Plan Meeting
- ♦ Pre-application Conference
- ♦ Neighborhood Meeting

- ♦ Development Plan and JCW Application
- Review
- ♦ 1st DRT Review and Comments
 - ♦ Joint Conceptual Workshop Presentation
 - ♦ Revision of Plans and Resubmittal
 - ♦ 2nd DRT Review and Recommendation
 - ♦ HZC Review and Recommendation (if applicable)

Discuss Decide

- ♦ FMPC Review and Recommendation
- ♦ BOMA Public Hearing and One Reading Resolution
- ♦ Site Plan Review Process can begin

Mailed notification

- ♦ Send a mailing that describes the project in laymen's terms
- ♦ Explain where the development is in the process
- ♦ Explain the neighborhood open house meeting format
- ♦ Include a one-page sketch of the proposal

Other improvements

- ♦ Formal pamphlet, outlines the life cycle of a development from early discussions with staff, all the way through building permit-high level, point out public engagement opportunities
- ♦ Include the neighborhood meeting public notice letter and plan on the public calendar, for all to view
- ♦ Include the developer's report of neighborhood meeting comments with the package presented at the FMPC and BOMA meetings/workshops

Examples of the Notification Letter and Neighborhood Meeting Notice were included.

Discussion:

- ♦ Alderman Burger: So many questions with no answers because they haven't met with staff before meetings. Yet, early on gets good input, so a dilemma. She didn't like some of this. Why is this better? One format may not work.
- ♦ Alderman Petersen: Has been to almost all neighborhood meetings. She thought it should be a more formal setting rather than in the training room, have it in the Board Room. People dropping in would miss the overall presentation. Not a plus to have someone answer the same question multiple times. It would almost take a City staff member there to keep it civil.
- ♦ Emily Hunter: Sometimes, if staff steps in, it looks as though they are siding with the developer.
- ♦ More formality in the Board Room. Are notes taken, and by whom. It would be impossible to take notes if several people were answering questions in an open format. Two hours is too long for a meeting.
- ♦ Alderman Barnhill: Agreed with what had been said. People won't get the same answers in an uncontrolled meeting. Using speaker cards like the ones used for Work Session and BOMA meetings would be more controlled.

This item will be brought back to another Work Session.

11. 18-0967 **★Consideration of City of Franklin Contract No. 2018-0204 for the Federal Preservation Grant for Completion of National Register Listing Update for Hincheyville Historic District.**

Amanda Rose, Preservation Planner
Emily Hunter, Planning/Sustainability Director

No questions or comments.

12. 18-0972 ★**Consideration of City of Franklin Contract No. 2018-0210 for the Federal Preservation Grant for Window Restoration at Hayes House at The Park at Harlinsdale Farm.**

**Amanda Rose, Preservation Planner
Emily Hunter, Planning/Sustainability Director
Lisa Clayton, Parks Director**

Received grants are in the budget for additional work in Hincheyville and new windows for the Hayes House.

13. 18-0103 **Discussion of Possible Ordinance Restricting the Retail Sale of Dogs and Cats.**
Alderman Beverly Burger

Alderman Burger explained this Ordinance is not about an existing business, rather others that may come into the area.

Discussion:

- ◆ Alderman Speedy: Opposed to the ordinance because he is opposed to additional regulations for local businesses. It comes down to free market choice for residents of where they buy. The pet store provides documentation of medical background, breeder information, etc. No one supports puppy mills. This ordinance makes any professional breeder sound like a puppy mill. This is bad for business and residents.
- ◆ Alderman McLendon: This is a local ordinance to ban the otherwise lawful private/commercial business with the customer and it's proposed as a solution to a real problem that is widespread. He has a hard time deciding if it is an appropriate use of government power to ban activity of private and retail stores. What would be next? Opposing this ordinance is about not abusing the power of government to ban. Require a commercial retailer of dogs and cats to disclose up front, the information about the breeder, and not after the sale. Breeder inspection reports are heavily redacted. That is of concern. The consumer could go to the breeder. No person would buy from someone who breeds the animals in an inhumane way. If a retailer in Franklin bought from such a breeder, documentation should expose them then people won't buy.
- ◆ Alderman Blanton: The owner now in business will be grandfathered in. As to the public health situation, her vet has seen these abuses. Retail sale of pets in storefronts is waning. She got one of her dogs from a shelter and one from a friend. Can't support the ordinance.
- ◆ Alderman Barnhill: Spoke about grandfathering and what would happen if the store moved to another building or the business was sold to someone else. Are they grandfathered in these situations?
- ◆ Shauna Billingsley: If the business is sold there would be no problem. They can't move or expand, if it goes out of business for 30 months the non-conforming use is not grandfathered.
- ◆ Alderman Burger: The number of retail pet stores has diminished. 280 locations in two states prohibit sales. Puppy mills are awful. Most pet store pets are from puppy mills and come with health risks and no guarantees. Pet store laws lessen puppy mills.
- ◆ State Representative Sam Whitson, 803 Fair Street: As a resident and citizen he supports Alderman Burger's ordinance and the grandfathering of the existing pet store. A large retail chain wanted to come here, but the State defeated the

request. He is concerned is they will come back. It action isn't taken now, we may not be able to control it at the local level.

- Ashley Cunningham, 317 Main Street, on behalf of 1,369 who signed the petition in support of the ordinance. She showed a picture of Goblin, who lost an eye, is in danger of losing the other eye, and has undergone numerous procedures as the result of being bred in a puppy mill.
- Beth Bizier, 126 Hobbs Drive: Distributed packets of information on dogs begin bred and puppies sold from puppy Mills. She asked BOMA to please vote to either ban adjust the ordinance? If limited, this will show Franklin to be an admirable city.
- Faith & Grayson Newman 4665 Harpeth Peytonsville Road, Thompson's Station: These preteens asked for the ban of puppy mill dogs and those puppies being sold in stores. They believe puppy mill people are horrible.
- Eric Swafford, 270 Arbor Pointe Trail, Dayton, TN: The ordinance supports being proactive to protect public health and businesses and protect consumers from huge vet bills. Nearly every breed association and the AKC prohibit providers to sell dogs to pet stores.
- Monica Weiss-Sharp, 1973 New Highway 96 West: Employed by Animalia. She supports the ordinance to protect public health and animal welfare. Consumer protection.
- Dr. Lizzie Moser, 305 Moss Lane, veterinarian: She supports the ordinance for animals without a voice. There are many responsible breeders out there who are proud of how they care for the animals. Puppy mills don't want anyone to see how they treat the animals and do not welcome visitors. She sees many animals from these mills.
- John Thompson/The Pawfect Puppy, 790 Jordan Road, Suite 104: This has become a puppy mill issue. He agrees that puppy mills are bad. He disagrees with restricting the sale of animals only from animal care facilities and animal rescue organizations. He has sold over 700 puppies from his store. People still come to his store even after all the bad publicity. Go to the federal and state level. USDA guidelines should change. This ordinance is not in the public's best interest.
- ◆ Alderman Burger: As Representative Whitson said, this should be handled locally and not by the State. She distributed an amendment to this resolution.

Other Business

None

Adjournment

Work Session adjourned @ 7:09 p.m.

BOMA meeting will convene @ 7:24 p.m.

Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 1/30/2019