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**MINUTES OF THE WORK SESSION  
BOARD OF MAYOR AND ALDERMEN  
FRANKLIN, TENNESSEE  
CITY HALL BOARDROOM  
TUESDAY, FEBRUARY 14, 2017 – 5:00 P.M.**

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**Board Members**

Mayor Ken Moore	P		
Vice Mayor Pearl Bransford	P	Alderman Dana McLendon	A
Alderman Clyde Barnhill	P	Alderman Margaret Martin	P
Alderman Brandy Blanton	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	, HR Director	
Kristine Tallent, ACA Finance & Administration	P	Mark Hilty, Water Management Director	P
Shauna Billingsley, City Attorney	P	Paul Holzen, Engineering Director	P
Rocky Garzarek, Fire Chief		Emily Hunter, Planning & Sustainability Dir.	
Deb Faulkner, Police Chief	P	Joe York, Streets Director	P
Fred Banner, IT Director		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**

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

**Citizen Comments**

**Bad Soden Exchange Students**

Mayor Moore asked Vice Mayor Bransford, who is president of Sister Cities, to talk about the seven exchange students from Bad Soden, Germany. Vice Mayor Bransford noted this is the third time for students to come to Franklin. Students from Williamson County will travel to Bad Soden in late May or the first part of June this year. The students' chaperone, Leah, spoke. They are from the Albert Einstein School (celebrating its 50<sup>th</sup> anniversary). The German students, accompanied by their American counterparts (Page and Franklin High Schools) introduced themselves. Betsy Taylor, a teacher at Franklin High School, who is also host for chaperone Leah, spoke as well. Mayor Moore presented gift bags to the exchange students.

**Hazardous Curve on Carlisle Lane and Del Rio Pike**

Bill Quaglia, 163 Cornerstone Circle, Franklin, voiced concerns about a blind curve on Carlisle Lane and Del Rio Pike. Because of work being done on Franklin Road, he is seeing heavy trucks and more traffic on this road. Many cars and buses go over the centerline, and many bikers use the road that is not designed for this traffic. The new Christian School located in the area draws a lot of traffic as well, especially from 2:30 to 6:00 p.m.

Mr. Quaglia recommended a diagonal cut across the curve be done to somewhat diminish the hazard, and requested that traffic engineering take a look at the curve.

Mayor Moore told Mr. Quaglia that someone from the Engineering Department would contact him.

**WORK SESSION DISCUSSION ITEMS**

**1. 17-0144 Black History Month Presentation**

**Milissa Reiersen, Communications Manager**

Eric Stuckey said Communications is putting together a series of short films to promote Black History Month to tell the story of Franklin's black community history.

Milissa Reiersen related Alma McLemore contacted her about this project. She named several others from the community and staff who have been a part of this project. Two short videos were shown; one was about the community's churches bringing people together, the history of Shorter Chapel, and where some of the churches were once located. The second video focused on Harry Marsh, who with his horse and buggy taxi would meet the trains at the depot. When his horse and buggy were lost in a fire, the townspeople collected money to replace them. The videos are on YouTube and Facebook.

2. **17-0102 Consideration of Event Permit for WillPower 5K on April 8, 2017 in Downtown Franklin.**  
**Deb Faulkner, Police Chief**  
No questions or comments.
3. **17-0103 Consideration of Event Permit for the Heritage Ball sponsored by the Heritage Foundation on September 16, 2017 at Eastern Flank Battlefield Park.**  
**Lisa Clayton, Parks Director**  
No questions or comments
4. **17-0071 Consideration of 2017 Liquor License Renewal for West Main Street Liquors (Mr. Jose Arredondo, Managing Agent), 1326 West Main Street, Franklin, TN 37064.**  
**Lanaii Benne, Assistant City Recorder**  
No questions or comments.
5. **17-0072 Consideration of Liquor License Renewal for Case Select Wines and Liquors (Mr. Thomas Michael Klaritch, Managing Agent), 3046 Columbia Avenue, Franklin, TN 37064.**  
**Lanaii Benne, Assistant City Recorder**  
No questions or comments.
6. **17-0108 Consideration of New Liquor License for HolBev, LLC, d/b/a Holiday Cigars & Spirits (Alpesh Patel, Managing Agent), 108 North Royal Oaks Boulevard, Franklin, TN 37067.**  
**Lanaii Benne, Assistant City Recorder**  
No questions of comments.
7. **17-0056 Results of the 2016 Citizens Survey.**

**Eric Stuckey, City Administrator**

**Kristine Tallent, ACA/CFO**

**Michael Walters Young, Budget & Analytics Manager**

Michael Walters Young gave a PowerPoint presentation on the results of the survey:

#### Survey Methodology

There are seven Report Documents and this presentation that are available on the City website:

<http://www.franklintn.gov/government/finance-administration/the-national-citizen-survey>

The survey was conducted in two ways

- By mail to 3,000 selected residents
- An open web-based survey
- About 4% of the 3,000 mailings were returned as undeliverable
- Of the remaining 2,879 households, 1,060 completed the survey for an overall response rate of 37%
- 128 of the 1,060 completed online. The national average for response rate is around 26%.
- Received 324 surveys when the online survey was opened to residents City-wide October 21 to November 4.
- The survey designed to measure the City's livability/quality of life. Eight facets of livability chosen: Safety, Mobility, the Natural Environment, the Built Environment, the Economy, Recreation and Wellness, Education and Enrichment, and Community Engagement.
- The eight facets were put into three "pillars" of community quality
  1. Community Characteristics: Inherent and acquired amenities, the design and opportunities that contribute to the livability of a community.
  2. Governance: Services provided by local government; government function and levels of trust residents have in government leaders.
  3. Participation: Connection to neighbors, resident activities, use of community amenities and services; "social capital".

#### Survey Results

- Almost all residents rated the quality of life in Franklin as excellent or good – 97% combined

- Franklin ranks 8<sup>th</sup> in the nation for quality of life
- Most important: Safety and Mobility identified as priorities for the community.
- 97% of residents rate Franklin as Excellent/Good as a place to live
- 93% of residents rate the overall quality of City Services as Excellent/Good
- Franklin ranks 8<sup>th</sup> in the nation for Overall Confidence in City Government
- 82% of citizens feel the Sense of Community is either Excellent/Good
- 87% indicated they had not reported a crime
- 95% had not been the victim of a crime
- 84% rated their satisfaction of the City's management of growth as either Very or Somewhat Satisfied
- 22% responded to the open-ended question to mention Growth/Crowding
- 41% would use mass transit
- The final question asked what the most important challenge facing Franklin today, aside from issue of transportation:
  - 22% Growth/Crowding
  - 17% Affordable Housing
  - 11% Development and maintenance of the City
  - Transportation issues were still the fifth most frequent concern
- The results of this survey were compared to the 2012 survey results.

#### Next Steps

- Will schedule meetings with Leadership Team members and disseminate detailed information from the survey out to departments for use in their daily operations.
- Will update website with all materials
- Will integrate findings into the City's Open Performance Website
- Will also integrate findings into budget submissions to BOMA during Winter/Spring 2017 for the FY 2018 budget process
- Plan to engage Franklin residents again with another survey in two years

#### Citizen Comment:

Mort Stein, 1627 Kinnard Drive, Franklin: One of the notable comparisons under economic opportunities, the City is #1 in economic development and the two areas that got worse are traffic and affordable housing. Millions of dollars were spent to provide jobs in Franklin, yet a previous study said 85% of the people working in Franklin live outside the City. The traffic will worsen if workforce housing is not provided. He asked that two ideas be considered: 1) Establish a fund using local taxes and contributions from major employees to let residential developers who agree to build affordably priced units compete for financial incentives and grants for the fund, 2) Provide land for non-profits to build houses.

Mr. Stuckey thanked Mr. Walters Young for working on the survey and the Board for supporting it.

8. 17-0015 ★**Consideration of ORDINANCE 2016-52 To Be Entitled: “An Ordinance to Amend Chapter 3 of The Zoning Ordinance of the City of Franklin, Tennessee, to Amend the Use Table and Regulations Pertaining to Self-Storage Facilities Uses.” Establishing a Public Hearing for March 14, 2017.**

Alderman Ann Petersen, FMPC Representative  
Emily Hunter, Planning & Sustainability Director  
Amy Diaz-Barriga, Planning Supervisor  
Josh, King, Senior Planner

[FIRST OF THREE READINGS]

Josh King: The ordinance is based on discussions at the Joint Conceptual Workshops. The Planning Commission and staff recommend approval.

9. 17-0048 ★**Consideration of ORDINANCE 2016-51, To Be Entitled: “An Ordinance to Rezone 23.61 Acres from General Commercial (GC) District To Specific Development Variety (SD-X 14.61/350,000/200) District For the Property Located North of East McEwen Drive and East of Carothers Parkway, (Apex Village PUD Subdivision)”;** Establishing a Public Hearing for March 14, 2017.

Alderman Ann Petersen, FMPC Representative  
Emily Hunter, Planning & Sustainability Director  
Amy Diaz-Barriga, Planning Supervisor  
Josh King, Senior Planner

[FIRST OF THREE READINGS]

The Land Use Plan places these parcels in the McEwen Character Area, Special Area 4, and supports the uses proposed with this rezoning.

10. 17-0049 **Consideration of RESOLUTION 2016-88 To Be Entitled: “A Resolution Approving A Development Plan For Apex Village PUD Subdivision With 2 Modifications of Development Standards (MOS 1-Attached Residential Length; MOS 2-Parkland Dedication), For The Property Located North of East McEwen Drive And East of Carothers Parkway”;** Establishing a Public Hearing on March 14, 2017.  
**Alderman Ann Petersen, FMPC Representative**  
**Emily Hunter, Planning & Sustainability Director**  
**Amy Diaz-Barriga, Planning Supervisor**  
**Josh, King, Senior Planner**  
 Two Modification of Standards: MOS 1-Attached Residential Length; MOS 2-Parkland Dedication. The Development Plan in compliance with the Land Use Plan recommendations. FMPC and staff recommend approval.
11. 17-0053 **★Consideration of ORDINANCE 2016-53, To Be Entitled: “An Ordinance To Amend Chapter 3 of The Zoning Ordinance Of The City Of Franklin, Tennessee, To Amend The Regulations for Commercial Uses For Bed And Breakfast Establishments In Order To Increase The Maximum Number of Permitted Guests From Six To Eight, and Increase The Maximum Number of Sleeping Rooms Available For Transient Occupancy From Three to Four.”;** Establishing a Public Hearing Date of March 14, 2017.  
**Alderman Ann Petersen, FMPC Representative**  
**Emily Hunter, Planning & Sustainability Director**  
**Amy Diaz-Barriga, Planning Supervisor**  
**James Svoboda, Principal Planner**  
 [FIRST OF THREE READINGS]  
 This ordinance will synchronize Bed and Breakfast regulations with those of Short Term Rentals.
- ⊙ Vice Mayor Bransford left the meeting at 5:47 p.m.
12. 17-0146 **★Consideration of a Funding Agreement for Knoll Top Lane at Columbia State Community College, COF Contract 2017-0010.**  
**Eric Stuckey, City Administrator**  
**Vernon Gerth, ACA Community & Economic Development**  
 Knoll Top Lane is a proposed public right-of-way adjacent to the new Columbia State Community College Campus that extends from Liberty Pike north to the Ovation Planned Development. The improvements include three travel lanes, curb and gutter, drainage improvements, landscaping, a 10-foot multiuse trail along the eastern side of the roadway and LED street lights. There is a slight amendment coming through as a budget amendment. A not-to-exceed amount established for the City’s contribution.
13. 17-0104 **★Consideration of Development Agreement for Mallory Green Development on the Corner of Mallory Lane and Spring Creek Drive (COF 2016-0035) with 3665 Mallory JV LLC.**  
**Paul Holzen, Engineering Director**  
 This project includes a 175,000 SF office building, a 119-room hotel and a 12- room hotel on 17.88 acres. As part of the traffic impact study, it was recommended that the development be required to provide connectivity to Jordan Road to help distribute traffic throughout the network.
14. 17-0122 **★Consideration of Final Payment to Southeast Contractors, Inc. in the Amount of \$30,186.25 for the Construction of the City of Franklin Fire Station No. 8 Westhaven (COF 2014-0032).**  
**Eric Stuckey, City Administrator**  
**Brad Wilson, Facilities Project Manager**  
 Staff recommends approval of final payment along with the final change order for \$30,186.25 to Southeast Contractors, Inc. for all work performed on Fire Station 8 in Westhaven.
15. 17-0105 **★Consideration of Request to Deny Sanitary Sewer Availability to 509 Franklin Road.**  
**Paul Holzen, Engineering Director**  
 The request is to deny 1 SFUE. Sanitary sewer infrastructure is located approximately 580 LF from the property line; however, to provide sewer the property owner would need to jack and bore under Franklin Road and extend sewer from the Jackson Lake Subdivision. Cost prohibitive.
16. 17-0106 **★Consideration RESOLUTION 2017-06 Awarding the Construction Contract (COF Contract No. 2014-0259) for the Hunters Bend Elementary Safe Routes to School Project (TDOT PIN 118151.00) to Jarrett Builders, Inc. in the Amount of \$321,000.00.**  
**Paul Holzen, Engineering Director**

No questions or comments.

(Item 18 addressed before Item 17)

**18. 17-0067 Consideration of DRAFT ORDINANCE 2017-02, “An Ordinance to Amend Various Sections of Chapter 4 of Title 16 and Chapter 16 of Appendix A of the Franklin Municipal Code Concerning Road Impact Fees.**

**Eric Stuckey, City Administrator**  
**Vernon Gerth, ACA Community & Economic Development**  
**Paul Holzen, Engineering Director**

- Eric Stuckey: This was discussed last Work Session and it is back for further discussion and guidance from the Board.
- Vernon Gerth: This is a complex issue and not one simple solution to address traffic. This was discussed when Lynn Osland shared the 2016 development report two weeks ago. One indicator is the amount of investment. We had three-quarters of a billion dollars in investment, which is \$260 million dollars more than 2015. Development fees drive up the price of property affecting the price of affordable workforce housing. Development fees are also for development to pay its proportionate share of the impact it has on the community. Staff recommends including collector streets at 50% for now. We can see where that takes us until the next road impact study. Those funds will be dedicated to collector roads in certain quadrants.
- Paul Holzen: Referred to a map of the City divided into four service areas, with major/minor collectors in each area. The impact fee methodology is the best way to charge the developer for their fair share of the collector roadways. There are other funding sources that long-term will be needed to help fund the City’s roadway network.
- Alderman Petersen: how much money is projected to come in, and how much will it cost to build all these things.
- Mr. Holzen: The costs associated with collector roadways, major and minor, are on the proposed roadway classification map. They took the cost of the Major Thoroughfare Plan, added up the collector numbers, and broke it out into the four service areas as projected cost needs.

MTP Collector Cost Per Quadrant

Service Area 1	\$144,562,000
Service Area 2	\$ 61,600,000
Service Area 3	\$108,873,333
Service Area 4	\$ 91,452,000

- Mr. Stuckey: We have a 30-year outlook of Major Thoroughfare projects that fit the collector definition of both minor and major collectors.
- Alderman Petersen: Right now, there is a lot more development in Service Area 2 than the other areas. Money collected for a service area spends only in that service area. Where the development is, and where improvement is needed do not match up.
- Mr. Gerth: In Service Area 2, the extensions of South Carothers, the state’s improvement of the Goose Creek Interchange, the Boyle development, Rural Plains development on the west side of the interchange, and the extension of the Goose Creek Sewer have allowed development to gravitate to that area. Going forward there will be more development in that area. As far as the impact on collector roads, we have been planning fairly well in that quadrant.
- Alderman Petersen: Including collectors, how much is it going to cost, and how much is this going to bring in?
- Mr. Holzen: It would take a lot of time looking at the land use and taking the best guess at the development potential in impact fees. Some of the residential areas are easy to project. All the non-residential have different formulas. It would be very difficult. Nevertheless, they are only paying for the capacity they are consuming as directly related to trip generation or use as to what is their proportionate share. There is no commitment for the Board to spend the money. The Board always has the choice to turn down development, require them to do the improvements, or take the funding and make an investment ourselves and we would have to look at that on a case-by-case basis with every development.
- Mr. Stuckey: What you are obligated to do is spend the money in that quadrant within seven years. The Board is still making that call. The other side of looking at those huge numbers by service area is that there is plenty of need. He expects the Board would identify projects that fit those definitions in those quadrants, and doubts there would be a situation where the Board did not spend this money



in the seven-year window. This is providing for a contribution for the collector network that is completely missing now.

- Mr. Gerth: This is for added capacity to widening roads or building new roads.
- Mr. Stuckey: Provides more structure for development to pay for collector improvements
- Mr. Gerth: Emphasized that we want to assess the proportionate share of the impact on collector roads. We want to track the true impact, the true cost of those improvements so we can build them into the model, and accurately define what that proportionate share is.
- Alderman Barnhill: As rapidly as we are growing, it is likely we would spend the money within seven years.
- Paul Holzen: The other part of the ordinance is if you have a large development and the transportation infrastructure is not in place in the Board's opinion, you can require them to do those improvements. They are only entitled to receive reimbursement up to the impact fee paid. If they have to go beyond the impact fee paid, that is their requirement. There are developers who have had arterial road improvements that significantly exceeded the fees collected.
- Alderman Burger: Concerned this will make Franklin have the highest fees in Tennessee. She named all the fees that add up to about \$40,000 per lot. It adds to the retail price of the home.
- Vernon Gerth: That is the reality of dealing with development fees and growing a community as desirable as Franklin. The City ranks high in Tennessee and nationally. These are wonderful challenges to have and that is why it is not a simple solution.
- Mr. Stuckey: A substantial school fee was added. We must look at all the fees because they are substantial. What is the right balance? How much is too much?
- Mayor Moore: Do all citizens pay for all the people moving in, or do the people moving in pay. It takes a lot of study to know what revenue will come in.
- ▲ Khris Pascarella, Pearl Street Partners LLC: Shared something he has been working with in Florida. He worked on two large master plan communities of about 10,000 acres, and about 6,000 acres. Florida has legislation that allows that to be one singular project or a collaboration of properties, for example, all of the Carothers properties. There is legislation on the books that allows for community development districts. It creates a quasi-municipal district that floats municipal bonds, funds the construction of infrastructure, all the utilities, sewer, and pump stations whatever is necessary. Builds roads, builds parks and maintains those facilities as well. The special assessment shows up on the tax bills of the residents in which the special assessment district benefits. When those bonds are retired, the fees will reduce. He researched the Tennessee tax code statutes to see if there was something on the books or could there be something written to provide for similar funding mechanisms in Tennessee. It is getting extremely difficult to find sites that have the basic things they need and face all the current cost restrictions and the tough environment it will difficult going forward.
- Mayor Moore: What you were doing in Florida was having the homebuyer pay those fees, and what we are doing is putting is having the developer pay the fees.
- ▲ Mr. Pascarella: It comes out of someone's pocket. The buyers pocket, the land sellers pocket or the developer's pocket by lower profits. The benefit of that funding mechanism is instead of putting it on a three-year development loan, it becomes a 30-year municipal bond at 2%. Tennessee does not have a clear statute on the books that allows for it.
- Alderman Skinner: Concerned how the 50% of collectors will help.

Discussion will continue at the next Work Session.

**17. 17-0142 ★Consideration of RESOLUTION 2017-10, A Resolution of Support For Sustainable Transportation Funding.**

**Eric Stuckey, City Administrator**

Mayor Moore said Resolution 2017-10 specifically addresses the Governor's IMPROVE Act and/or other responsible initiatives that provide long-term, sustainable funding for transportation. He thought this was a good opportunity to have Commissioner John Schroer come to address these issues.

Commissioner Schroer said listening to the discussion on fees made him recall a conversation when he was Mayor, and there was discussion on putting utilities in across the Interstate on the east side at Carothers. We were willing as a body to go forward with this, but some of the property owners did not want to do that. Sometimes the cost is so overwhelming for the developer that it isn't possible to do it.

The Commissioner thanked the Board for inviting him and for entertaining the possibility of passing a resolution supporting the Governor's IMPROVE Act. He mentioned that he had spoken to the County Commission the previous night. He has traveled through the state addressing this issue, and he thinks they have proven to most people there is a need to develop infrastructure throughout the state. Without question, there is a need in Franklin and Williamson County. Some legislators need a little encouragement to vote for this. That is why they are asking cities and counties to pass resolutions in support of the IMPROVE Act.

Revenue for the state has been relatively flat for the past five years and an increase is not projected. It makes it difficult to keep up with what we have, and it is almost impossible to do anything new. They feel funding transportation through the IMPROVE Act is an opportunity to sustain where they are. It's a 7% increase on gasoline, 12% increase on diesel, an increase in vehicle registration (\$5, \$10, and \$20), \$100 for electrical vehicles, 15 cents on natural gas, 3% on rental cars. There is a provision to pass an open container law that would return \$18 million back to the Department of Transportation. It is a \$278 million proposal. On the revenue side for the state, the Governor proposes three major tax reductions that would equal about \$270 million. It is relatively zero tax equivalency.

Representative Sam Whitson said he is on the Transportation Committee and the Transportation Subcommittee. He believes a User Fee would be good for Tennessee. It reinforces the Governor's total plan to protect our bond rating, and reduce costs for citizens down the road if we use the money to pay down our obligation to our state insurance for retirees. There will be a downturn someday. If we use this revenue correctly, we can sustain the building of our roads, not just the maintenance. There are over five million cars registered in Tennessee. Only 2,500 of those are electric cars. That is not a big revenue source.

Commissioner Schroer said this plan would cost the average licensed driver about \$4.00 a month. If credit for reduction of one-half percent on groceries is given, that is \$1.00 a month, making the net amount \$3.00 per month. Moreover, we can help implement this \$10.5 billion program, but it doesn't create \$10.5 billion. One thing they are proud of is that Tennessee is one of five states in the nation that does not borrow money to build roads. It's been 31 years since transportation funding was last addressed.

Commissioner Schroer responded to questions asked by Alderman Burger:

- IFTA is the clearinghouse for truckers and companies that buy diesel. All the money goes to IFTA, they report miles driven and to where, and gas mileage, and distribute the money. All states get a fair share of diesel tax regardless of where they buy the diesel. Per an IFTA report, Tennessee's number is 40.5%, depending on how much money comes from out-of-state companies. About 28% of revenue on vehicle registration comes from out-of-state trucking companies. There is a bill on the table to pay for gasoline out of Sales Tax. That makes no sense to him. At the end of the day, it should be a User Fee. Tennessee has the third lowest gas prices in the surrounding states and tied for second on diesel.
- Representative Whitson added that Tennessee pays the lowest per capita of gas fuel tax in the nation.
- Commissioner Schroer explained that during a previous administration funds were taken from transportation to balance the budget. Half was repaid last year and half is in the budget this year.
- Alderman Barnhill mentioned that cities in surrounding areas have lower gas prices than in Franklin. Some with 40 cents per gallon difference.
- Commissioner Schroer said he has been following this for two years. The average price difference across the state is about \$1.00 a gallon. Franklin is up there, but not the highest.

## **Other Business**

None

## **Adjournment**

Work Session adjourned @ 7:01 p.m.

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Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - updated 10/24/2017 10:13 AM