
**MINUTES OF THE WORK SESSION
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, MAY 8, 2018 – 5:00 P.M.**

Members

Mayor Ken Moore	P		
Vice Mayor Margaret Martin	P	Alderman Beverly Burger	P
Alderman Clyde Barnhill	P	Alderman Dana McLendon	A
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	P
Vernon Gerth, ACA Community/Economic Dev.	P	Lisa Clayton, Parks Director	P
Mark Hilty, ACA Public Works	P	Michelle Hatcher, Water Management Director	P
Kristine Tallent, ACA/CFO	A	Paul Holzen, Engineering Director	
Shauna Billingsley, City Attorney	P	Emily Hunter, Planning & Sustainability Director	P
Deb Faulkner, Police Chief		Kevin Townsel, HR Director	
Rocky Garzarek, Fire Chief	P	Joe York, Streets Director	P
Jordon Shaw, IT Director		Jonathan Marston, Assistant Director Engineering	P
Chris Bridgewater, BNS Director	P	Lanaii Benne, Assistant City Recorder	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

*Susan Joyner, 1275 Lewisburg Pike, Franklin and

*Lucile Rosenthal, 3111 Horton Lane, Franklin

BOMA Work Session

May 8, 2018

My name is Susan Joyner and we own land on Boyd Mill Avenue. We wish to enter the following statement into the minutes of this Work Session.

We oppose the passage of the Consideration of Resolution 2018-34 for the following reasons:

The Resolution is directly tied to Contract 2018-0029 with Trace Construction for the purpose of recapturing funds being given to that contractor for an existing gravity sewer system to be upgraded solely for his project at this time.

- The Resolution would not be needed if the aforementioned Contract had not been put in place.
- The online BOMA agenda gave the name of this Resolution item as Sanitary Sewer Capacity Fee Model which implies that this same strategy will be applied in the future to similar (or not) projects.
- As owners of two of the parcels mentioned in the Resolution, we oppose "future requirements" (in this particular instance, recapture amounts that a developer must pay to the City) tied to our property and we know that the dollar amount can increase without notice.
- We have been advised by legal counsel that the Resolution can affect the "future value" of our land as a developer may choose to acquire other acreage that is not so encumbered.

- BOMA and landowners installed a grinder pump sewer system several years ago that will not support additional development. An upgrade to the existing gravity sewer system in the area would have been the correct solution then.
- We conclude this action is setting a precedent for incentive contracts with developers who are not seeking those funds because they desire to build in beautiful Franklin.

Susan Joyner
Lucile Rosenthal

Susan Joyner and Lucile Rosenthal asked that the above statement be included in the minutes.

Eric Stuckey explained the statement relates to concerns regarding Item 20 on the Board voting session agenda. Tonight, Item 20 will be deferred to the June 12 Work Session and voting meeting. It was requested that those in the area of the project be provided additional notification so they could attend the meetings.

WORK SESSION DISCUSSION ITEMS

1. **18-0103 Discussion of Possible Ordinance Restricting the Retail Sale of Dogs and Cats.**
Alderman Beverly Burger

Item deferred to June 26, 2018 Work Session.

2. **18-0437 Presentation and Status Update by Franklin Housing Commission.**
Chris Bridgewater, BNS Director

John Besser and Jeffry Caruth, members of the Housing Commission provided an update on their activities:

- The Commission must follow their charter and bylaws. They can advise and educate. Presentations are being made to community groups and others such as Fieldstone Farms about housing for young professionals, public servants, and older folks who wish to downsize. Fieldstone Farms is a prime example of a subdivision with a variety of homes and apartments. They are promoting the kind of options they want.
- They advise builders of land available suitable for affordable housing in a range of pricing.
- A round-up program was started with water billing with the money going toward this effort.
- Initiated a program in the neighborhoods assisting residents to keep neighborhoods clean and promote a safe and clean atmosphere. Rubbish of all sorts has been removed.
- Mr. Caruth attended a fair housing conference and referred to the Fair Housing Act to eliminate housing discrimination and promote integrated residential neighborhoods.
- There are 18 members on the Housing Commission that were appointed by the City.
- There are 10 properties available for affordable housing and builders and developers are being appraised.

Discussion:

- It was asked who would purchase the 10 properties. Mr. Besser said some people are probably interested, but may not be aware of the properties. If someone wants to build lower end housing, bring it to the attention of the Commission and they will

advise them of funds available to help with the fees, etc. The high cost of land in Williamson County was mentioned as a detriment to affordable housing.

- Mr. Caruth said a hurdle is to buy the properties. The Commission wants to work with the City on how to purchase properties.
- Mr. Besser hopes education of the public would raise community awareness and gives impetus for fundraising. One-on-one everybody is for it, but talk locations and they are not as interested. Make the community more diverse.
- The Housing Commission cannot build; whereas, Habitat for Humanity, Community Housing, and Franklin Housing Authority can.
- Requirements for income levels must be met, the deeds are restricted. They want to continue to help with this issue.
- Alderman Blanton thanked the Commission for their help in trying to get affordable housing in Franklin. She commended Kathleen Sauseda for her part in the process.

3. 18-0463 **Consideration of Event Permit for Wine Down Main Street sponsored by the Boys and Girls Club of Middle Tennessee on November 3, 2018 in Downtown Franklin.**

Deb Faulkner, Police Chief

No questions or comments.

4. 18-0464 **Consideration of Event Permit for Prayer Breakfast at the Park at Harlinsdale Farm Sponsored by Unite Williamson on October 20, 2018.**

Lisa Clayton, Parks Director

This is a new event.

5. 18-0465 **Consideration of Event Permit for Porchfest sponsored by the Westhaven Foundation on June 16, 2018 in Westhaven.**

Deb Faulkner, Police Chief

No questions or comments

6. 18-0462 **★Consideration of Certificate of Compliance RENEWAL for Wine in Grocery Stores for Aldi, Inc. (Tennessee) d/b/a Aldi #52, Located at 209 South Royal Oaks Boulevard, Franklin, TN 37064 (Jesse Lopez, Managing Agent; Jason C. Hart, Chairman and CEO; David K. Behm, President; Charles E. Youngstrom, COO, and Terry R. Pfortmiller, Secretary/Treasurer).**

Lanaii Benne, Assistant City Recorder

No questions or comments

7. 18-0411 **★Consideration of Procurement Award to Symetra Life Insurance Co. of Enfield, Connecticut, for Voluntary Group Term Life Insurance with Accidental Death & Dismemberment Benefits and Voluntary Short-Term Disability Insurance for a Three-Year Term of Service to be Effective July 1, 2018, with Two (2) One-Year Options to Extend the Term of Service. (Purchasing Office Procurement Solicitation No. 2018-015; Contract No. 2018-0082).**

Kevin Townsel, HR Director

Sara Sylvis, Benefits Manager

Paid for by the employees that choose the coverage.

8. 18-0412 **Consideration of Procurement Award to Automated Collection Services, Inc. (ACSI) of Nashville, Tennessee, for Bad Debt Collection Services for Revenue Management and City Court (Purchasing Office Procurement Solicitation No. 2018-012; Contract No. 2018-0083).**

Lawrence Sullivan, Assistant City Recorder/Revenue

No questions or comments.

9. 18-0442 **★Consideration of Resolution 2018-35, A Resolution of the Board of Mayor and Aldermen for the City of Franklin Employees' Pension Plan, Providing a Cost of Living Adjustment to the Monthly Benefit for Retired Recipients, Effective July 2018.**
Eric Stuckey, City Administrator
Christine Tallent, ACA/CFO
- Mr. Stuckey related this is an annual process under the City's closed pension program. Review every year for Cost of Living increase for retirees effective July 1 each year. This increase is about 2.1% this year.
10. 18-0361 **★Consideration of Ordinance 2018-06, To Be Entitled: "An Ordinance to Amend Chapter 5 of the Zoning Ordinance of the City of Franklin, Tennessee, to Amend Various Sections of the Sign Regulations Pertaining to Temporary Signs, and Adding a New Temporary Sign Type for Temporary Multi-Story Building Development-in-Progress Signs." Establishing a Public Hearing for June 12, 2018.**
Alderman Ann Petersen, FMPC Representative
Emily Hunter, Planning/Sustainability Director
James Svoboda, Planning/Sustainability Assistant Director
- Project signs for buildings three stories or more that are under construction. Some banners are already up.
11. 18-0414 **★Consideration of Amendment No. 5 to the Professional Services Agreement (COF Contract No. 2013-0034) with CDM Smith, Inc. for the Mack Hatcher Extension Project [SR-397 Mack Hatcher Parkway West from South of SR-96, West of Franklin, to East of SR-106 (US-431), North of Franklin, Williamson County] at a Cost Increase Not-to-Exceed \$32,640.00.**
Paul Holzen, Engineering Director
- Update for adjustments made in the plan to allow bidding. The change will save TDOT a large sum of money. The change has delayed the project one year.
12. 18-0454 **★Consideration of Resolution 2018-36 Authorizing the Use of the FY 2019 On-Call Annual Contract for Pavement Preservation (COF Contract No. 2018-0036) Prior to July 1, 2018.**
Joe York, Streets Director
- This item was voted on previously. Wording was changed to a 14-year contract instead of 12 months to allow the last two months of this fiscal year to be included.
13. 18-0479 **★Consideration of Amendment No.1 to the Professional Services Agreement (COF Contract No. 2016-0325) with Alfred Benesch and Company for the SR-96 W Multi-Use Trail Project for a Cost Increase in the Amount Not-to-Exceed \$46,226.50.**
Paul Holzen, Engineering Director
- No questions or comments
14. 18-0458 **Consideration of DRAFT Ordinance 2018-07, "An Ordinance to Amend the City of Franklin Municipal Code, Title 15; Chapter 6, Title 15; Chapter 7; Section 14-703 and Appendix A; Chapter 15 to Revise and Update Parking Regulations".**
Paul Holzen, Engineering Director
Kristine Tallent, ADA/CFO
- Lt. David Prather and Jonathan Marston addressed items 14 & 15.
- Proposed changes:
- Added section prohibiting parking, in public parking space, if designated for charging any electric vehicle by any sign or pavement marking, unless actively charging when parking in the electric vehicle space.

- No person shall stand or park a vehicle upon any public roadway, public parking lot/garage or leased parking lot/garage for the principal purpose of displaying it for sale or rent.
- Added section to clarify that BOMA shall be required to establish passenger and freight loading zones.
- Removed all references to 4-hour parking and revised it to as displayed on authorized signs.
- Removed reference to issuing courtesy warning to Williamson County Residents.
- Revised parking citation amounts. Maximum cannot be over \$50.

Discussion:

- Alderman Burger took issue with drivers who park on or over striped parking lines thus taking two parking spaces, being fined as it would be easy to cite the wrong driver.
- Eric Stuckey noted that section was already in the Code, and not part of this amendment.
- Alderman Blanton suggested the increments between fine levels be smaller.

15. 18-0424 Consideration of DRAFT Resolution 2018-29, "A Resolution to Implement Time Restricted Parking Within the Core Commercial/Retail Historic Downtown Area".

Paul Holzen, Engineering Director

Mr. Marston pointed out the parking options on color coded street maps.

- Option A – has the most unmarked spaces with no time limits on 2nd Avenue, 7th Avenue. The bulk of Main Street would be 2-hour parking. Inner 5th Avenue a drop off and pickup for transit and rideshare. (Fire Hydrant there make it useable for that)
- Option B – 5th and 7th Avenues some changes. 2-hour parking in front of retail then untimed to the west.
- Option C –keeps 4-hours parking. A and C are the same except for the 2-hour to 4-hour parking. Close to the way it is now.

Proposed days and hours for timed parking: Monday-Friday 8:00 a.m.–5:00 p.m. 2-hour parking on-street close to food and retail. Longer term parking in the two garages or untimed parking. Handicapped parking is untimed.

- Kristy Williams, Downtown Franklin Association: The Heritage Foundation, DFA, likes having the new parking enforcement person and the signs. They hope to continue to be part of the parking commission. One business owner wants side street parking time-limited so employees don't park in those all day. People in other states have called because they heard of the excellent parking study that was done in Franklin. When Mayor Moore asked if they had any preference regarding the options, she responded they may have some tweaks for parking in front of businesses on 3rd and 4th Avenue.

16. 18-0210 Consideration of Resolution 2018-27, "A Resolution to Fund and Authorize Staff to Proceed with the Design, ROW Acquisition and Construction Phase for the West Main Street Bridge Modifications Project (located just Northwest of Roberts Street)

Paul Holzen, Engineering Director

Jonathan Marston, Engineering Assistant Director

This project came through the Capital Investment Committee for a safe pedestrian crossing over the bridge to avoid walking in the street. A 3-day pedestrian count was done.

The north side of the bridge will be modified with an 8-10' shoulder. The will make for safe crossing of the bridge.

17. 18-0455 Consideration of DRAFT Resolution 2018-37, A Resolution to Approve an Alternative Preliminary Design Concept for the 100-Block Battle Avenue Drainage Improvements

Project and Authorize Staff to Complete Right-of-Way Acquisition, Final Design and Construction (on 04/26/18 the CIC recommended Option 2-B to BOMA).

Paul Holzen, Engineering Director

The Capital Investment Committee recommended Resolution 2018-37, Option 2-B. The original option with the drainage was shown. It was discovered there is more water going into the drainage area than first thought. Prior to the storage building construction, two houses would have water in the back yards.

Maps were displayed to show the area prior to the storage building being built and after. Four houses in a row got water ranging from crawl spaces to 3 feet inside during the 100-year storm. Maps were also used to explain the solutions.

- Project 1 – Total project cost \$1,600,000: To get the lower half of the drainage area, capture and take to Columbia Avenue.
- Project 2A – Total Project Cost \$3,013,280: The originally approved drainage system for Battle Avenue. To accommodate all the water there would be one large pond 15 ft. deep. The water would not get into the homes, but there would be some standing water.
- Project 2B – Total Project Cost \$2,000,000: The 100-year water would mostly be underground. The two houses that get the water in their houses would be demolished and the lots would be green space.

Discussion:

- ☛ Eric Stuckey commented there is older infrastructure in this area.
- ☛ Alderman Petersen: There are many houses in the City that get several feet of water in their homes, and we're not doing anything about those.
- ☛ Mr. Stuckey responded there are no solutions for the homes in those areas.
- ☛ Jonathan Marston said that TDOT is putting the bridge, Main Street and Third Avenue on their 3-year plan. That project will keep many houses from flooding.
- ☛ Alderman Speedy asked if raising the houses would be an option.
- ☛ Mr. Marston replied yes, for about \$100,000 per house.
- ☛ Alderman Burger: Why is this the City's responsibility? She has a problem with doing this. How do we pick and choose doing it for some and not all? She doesn't see how this Board can do this if the City didn't cause the problem. What was done 50 years ago is not our responsibility.
- ☛ Mr. Stuckey: The residents have consistently complained about water in their homes. The way things were built 50 years ago is not the way they are built now.
- ☛ Alderman Bransford commented that the Board is responsible for the health and safety of citizens. There could be potential health issues. There are things we must consider.
- ☛ Alderman Burger said the other places could use the same argument. This would open Pandora's box. She wants a legal opinion.
- ☛ Alderman Barnhill responded there have also been requests for relief from flooding on Figuers Drive when Battle Avenue is done. This has been going on for years.
- ☛ Mr. Stuckey related an option around raising the homes could be developed, but that would include 4-5 homes. The flooding would still happen in the yards.
- ☛ Mayor Moore pointed out that this project is addressing the entire drainage basin area, not just those homes, but for the entire 100 block of Battle Avenue.
- ☛ Mark Hilty said some of the houses have finished basements, and that should be considered.
- ☛ Mr. Stuckey said the people would lose part of their living space.
- ☛ Mr. Marston: Even though the homes were built in the 50s and 60s, several have been remodeled.

● Alderman Barnhill noted there would be more homes to raise. How high would they need to be raised? It would cost more money.

18. 18-0422 **Consideration of Amendment A to Memorandum of Understanding (MOU) between the City of Franklin and Williamson County, Tennessee for Breathalyzer Tests (COF Contract No. 2014-0067)**

Shauna Billingsley, City Attorney

No questions or comments

Other Business

None

Adjournment

Work Session adjourned @ 6:37 p.m.

Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office 5/18/2018 2:45 PM