MINUTES OF THE WORK SESSION BOARD OF MAYOR AND ALDERMEN FRANKLIN, TENNESSEE CITY HALL BOARDROOM

TUESDAY, NOVEMBER 13, 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	A	Alderman Ann Petersen	P
Alderman Pearl Bransford	P	Alderman Scott Speedy	P
Department Directors/Staff			
Eric Stuckey, City Administrator	P	Lisa Clayton, Parks Director	P
Vernon Gerth, Assistant City Administrator	P	Michelle Hatcher, Water Management Director	P
Mark Hilty, ACA Public Works	P	Paul Holzen, Engineering Director	P
Kristine Tallent, ACA/CFO	P	Emily Hunter, Planning & Sustainability Director	P
Shauna Billingsley, City Attorney	P	Kevin Townsel, HR Director	P
Deb Faulkner, Police Chief		Joe York, Streets Director	P
Rocky Garzarek, Fire Chief		Michael Walters Young, Budget/Strategic M	
Jordon Shaw, IT Director	P	Lanaii Benne, Assistant City Recorder	P
Chris Bridgewater, BNS Director Jack Tucker, SES 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.

Mayor Moore paid tribute to State Representative Charles Sargent who died today.

Citizen Comments

WORK SESSION DISCUSSION ITEMS

1. 18-1138 ★Consideration of Event Permit for the Turkey Trot Sponsored by Graceworks Ministries on November 22, 2018 in Cool Springs.

Deb Faulkner, Police Chief

No questions or comments.

2. 18-1139 ★Consideration of Event Permit for Dickens of a Christmas Sponsored by the Heritage Foundation on December 8-9, 2018 in Downtown Franklin.

Deb Faulkner, Police Chief

No questions or comments.

3. 18-1140 ★Consideration of Event Permit for Christmas Parade Sponsored by the Kiwanis Club of Franklin on December 1, 2018 in Downtown Franklin.

Deb Faulkner, Police Chief

No questions or comments.

 18-1113 Consideration of Liquor License Renewal for Westside Wine & Spirits, LLC, d/b/a Westside Wine & Spirits (Richard English and Steven Poe, Managing Agents), 188 Front Street, Suite 108, Franklin, TN 37064.

Lanaii Benne, Assistant City Recorder

No questions or comments.

- **★** Item 16 was addressed prior to Item 5
- 5. 18-1145 *Consideration of Amendment No. 7 to Tennessee Department of Transportation Agreement No. 070112 (COF Contract 2009-0051) the SR-397 (Mack Hatcher Parkway West) from South of SR-96 West of Franklin to East of SR-106 (US-431) North of Franklin Project (TDOT PIN 101454.01; Federal Project No. STP-397(8) and STP/HPP-397(10); State Project No. 94092-1224-14).

Paul Holzen, Director of Engineering

This amendment will allow for the reimbursement of \$32,640 to the City for additional plan revisions requested by TDOT. It also requires the City make two lump sum payments for the proposed 12' multiuse trail. Total cost of the lump sum payments is \$1,250,000. The City has an agreement to receive contributions totaling \$1.25 M from Southern Land to offset the City's payments. Bid letting December 7, 2018 and second bid letting July 2019.

6. 18-0920 Stormwater Utility Financial Review and Discussion.

Eric Stuckey, City Administrator Kristine Tallent, Assistant City Administrator Michael Walters Young, Budget/Analytics Manager

STORMWATER FUND REVIEW: SCOPE AND QUESTIONS

- Staff review due to forecasts showing the fund is no longer accumulating fund balance capable
 of funding both ongoing operations and new capital projects.
- Five questions posed:
 - 1) What is the current design, funding, operation and structure of the Stormwater Fund?
 - 2) What should the function of the Stormwater Fund be?
 - 3) Is the revenue stream capable of providing for the needs of the fund in the future and if not make recommendations on how to adjust the fees?
 - 4) What should be the services and responsibilities charged to the fund and, if necessary, make recommendation on opportunities to reduce what is charged to the Stormwater Fund and where these operations could be charged (e.g. General Fund)?
 - 5) What are the necessary and affordable capital projects that have Stormwater components and where they should be afforded from?

CURRENT OPERATIONS OF THE FUND

- Function created in 2001, Stormwater Fund created in 2003, Stormwater Fee last modified in 2004
- Primary purpose if to account for activities necessary for the City's compliance with Phase II
 of the National Pollution Discharge Elimination System (NPDES) Municipal Separate Storm
 Sewer System (MS4) Program. It was never intended to fund capital projects.
- Fund has 22 employees charged against two divisions; Streets (16) and Engineering (6)
- Operational revenues total \$2.7 M annually
- Operational expenses (NOT including capital) total \$2.6 M annually

Activities the fund provides:

- Routine maintenance procedures
- Small repairs and upgrades to failing drainage systems
- Vacuuming storm drains and street sweeping
- Public Education and Outreach
- Public Involvement and Participation
- Illicit Discharge Detection and Elimination
- Construction Site Stormwater Runoff Control
- Permanent Stormwater Management in Development and Redevelopment
- Pollution Prevention for Municipal Operations
- Ambient Monitoring of Streams
- · Completion of annual report to TDEC and EPA

Fee Structure: Based upon "ERU" - Equivalent Residential Unit

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STORMWATER						
Applies to all properties inside the city limits of Franklin						
	SMALL	LARGE	Designated	ERU		
3,350 = impervious surface*	(<3,350 ft*	(>3,350 ft*)	Rate	(3,350 ft*)		
Residential - Inside City	\$2.74	\$4.38	NA	NA		
Duplexes/Trailers (not codified)	NA	NA	\$2.74	NA		
Apts./Condos (not codified)	NA	NA	\$2.74	NA		
Commercial – Inside City (per ERU)	NA	NA	NA	\$3.65		

Findings from Other Cities

- Samples 14 cities Those that have established Stormwater utilities widely differ on how they have structured the tiering within the fee. Most are simple, similar to Franklin, and have at least one tier in each type of fee.
- Most use the ERU model and bill monthly; some bill quarterly. ERU's vary widely.
- Most cities have updated fees within the last few years.

FUND ANALYSIS

- Franklin has not adjusted the fee or tiers since 2004.
- Annual revenues have increased most years, but additional revenue has only resulted from new growth within the community.
- Annual expenses also increased with personnel adds and operational growth necessary to meet demands of our obligations under the NPDES permit have increased and the community has continued to grow.
- The fee was appropriately set in 2004 and a healthy fund balance established, this cannot meet the operations and capital needs placed on the fund. Only one of the last eight years has produced positive fund balance.
- Operational Expenses (Personnel and Maintenance Operations) have caught up to Annual Revenues, leaving no additional funds for future capital other than what was accumulated in the first decade of operations.
- If no capital is funded moving forward other than purchase of equipment necessary to carry out functions required under the permit, the fund will exhaust its fund balance by FY 2027 and violate state laws for minimum fund balance requirements by FY 2025.
- Over \$20 M of capital expenditures have been identified as eligible for Stormwater Funding in the FY 2019-2028 CIP.

RECOMMENDATIONS & NEXT STEPS

Recommendations:

- 1) Dedicate additional funding for Stormwater operations and capital needs. The fee should be adjusted. Franklin is on the low side of the scale. How that is achieved is up for further debate.
- 2) Update Title 23 to in include language to review fee every five years.

Next Steps:

- 1) Review this report and provide feedback to staff.
- 2) Direct staff to provide options as what different residential and non-residential tiers look like, and how fees could be increased.
- 3) Staff will prepare impacts of transfers from General Fund for funding a part or all identified Stormwater capital projects.
- 4) Staff will prepare various options as part of the FY 2020 annual operating budget process

Discussion:

- Questions asked about increased personnel and growth were answered.
- Alderman McLendon: Let the fund do what it is supposed to do. There will never be enough in the fund to pay for capital projects labeled Stormwater. Many projects with Stormwater are tied into transportation projects. He would like to see less categories of capital projects.
- Alderman Barnhill: Need to look at tiers and structure.

Mayor Moore noted that this will be coming back to the Board.

7. 18-0920 **★Consideration of Recommendation to Reject All Bids for Supply and Delivery of Bid** Sludge Polymer for Wastewater Sludge Dewatering (Purchasing Office Procurement Solicitation No. 2019-003)

Michelle Hatcher, Water Management Director

No questions or comments.

18-0960 8. Consideration of Resolution 2018-82, To Be Entitled: "A Resolution Approving a Revised Development Plan for Parish Presbyterian Church PUD, With One (1) Modification of Development Standards (Base and Cap), for the Property Located North of Clovercroft Road and East of Market Street, 4150-4160 Clovercroft Road"; Establishing a Public Hearing Date of December 11, 2018.

Alderman Ann Petersen, FMPC Representative

Emily Hunter, Planning/Sustainability Director Amy Diaz-Barriga, Planning Supervisor Josh King, Senior Planner

No questions or comments.

9. 18-1031 ★Consideration of Ordinance 2018-55, To Be Entitled: "An Ordinance to Rezone 126.89
Acres from Specific Development-Residential (SD-R 2.92) District To Specific Development-Residential (SD-R 5.03) District for the Property Located East of Carothers Parkway and South of South Carothers Road (Lockwood Glen PUD Subdivision)." Establishing a Public Hearing Date of December 11, 2018)

[FIRST OF THREE READINGS]

Alderman Ann Petersen, FMPC Representative Emily Hunter, Planning/Sustainability Director Amy Diaz-Barriga, Planning Supervisor Christopher Andrews, Principal Planner

Christopher Andrews addressed Items 9, 10, and 11 for the same project. Item 9 to rezone density measurement. Land is being taken away; no new residences.

10. 18-1030 Consideration of Resolution 2018-89, To Be Entitled: "A Resolution Approving a Revised Development Plan for Lockwood Glen PUD Subdivision, for the Property Located East of Carothers Parkway and South of South Carothers Road." Establishing a Public Hearing Date of December 11, 2018.

Alderman Ann Petersen, FMPC Representative Emily Hunter, Planning/Sustainability Director Amy Diaz-Barriga, Planning Supervisor Christopher Andrews, Principal Planner

Item 10 involves revised boundaries in the Development Plan.

11. 18-1007 ★Consideration of Ordinance 2018-54, To Be Entitled: "An Ordinance to Rezone 75.52
Acres from Specific Development-Residential (SD-R 2.92) District to Civic Institutional
(CI) District for the Property Located West of Carothers Parkway and East of Interstate
I-65, (City of Franklin Owned Property). Establishing a Public Hearing Date of December 11, 2018.

[First of Three Readings]

Alderman Ann Petersen, FMPC Representative Emily Hunter, Planning/Sustainability Director Amy Diaz-Barriga, Planning Supervisor Christopher Andrews, Principal Planner

Item 11: Rezone property to Civic Institutional (CI) District for this City-owned property.

12. 18-1110 ★Consideration of Road Impact Fee Offset Agreement (COF 2018-0228) with Embrey Partners, Ltd. For the Liberty Pike Improvements and Carothers Right-of-Way Dedication.

Paul Holzen, Director of Engineering Jimmy Wiseman, Assistant Director of Engineering

Agreement will require Embrey Partners to construct the turn lane on Liberty Pike and dedicate all necessary ROW along Carothers Parkway.

13. 18-1133 ★Consideration of Change Order No. 3 (Final Change Order and Project Closeout) to the Construction Contract (COF Contract No. 2015-0002, TDOT PIN 108409.00) with Eutaw Construction Company, Inc. for the Hillsboro Road Improvements Project Phase 2, Independence Square to Mack Hatcher Parkway, for a Project Decrease in the Amount of \$640,550.86.

Paul Holzen, Director of Engineering William Banks, Staff Engineer II

The Final Change Order and Project Closeout of the Hillsboro Road Project Phase 2 with a project decrease of \$640,550.86.

14. 18-1137 ★Consideration of Resolution 2018-95, "A Resolution Providing Direction Regarding the Final Design of the Franklin Road Corridor Improvements Project."

Paul Holzen, Director of Engineering

There was another neighborhood public meeting last week as the City continues to move forward to bid on this project in spring or summer 2019. Resolution 2018-95 is on the BOMA voting session agenda tonight.

Paul Holzen reviewed the recommendations to the Franklin Road Streetscape Resident Petition:

Overall footprint and design-for traffic calming and aesthetics: Explore arrowing the
width of traffic lanes, creating a "suicide"/Middle turn lane that is an enhancement to
the project and safety, and consider narrower sidewalks and whether one or two is
optimal.

Staff Recommendation: Of three options offered, 2a is the best option with 3-ll ft. lanes and outer lanes striped for bike lanes. None of the options change the curb and gutters.

- 2. Utilities: Develop optional utility plans
 - a. Retain overhead utilities with poles in current locations.

 Staff Recommendation: Keep utilities underground as designed. Overhead utility poles will increase the impact to the existing trees along the corridor.
 - b. Underground utilities to each house.

Staff Recommendation: Underground the utilities along Franklin Road only. All properties currently being served overhead directly from existing Franklin Road utility poles will now have underground services run to their homes. Any overhead service that is currently fed from a side street, back yard, or other existing utility pole outside the new roadway footprint will remain aerial.

- c. Pass an ordinance requiring vaults for all underground utilities.

 Staff Recommendation: MTEMC, Comcast, AT&T and other utility providers do not allow underground vaults in certain applications. Staff recommends no changes to the current construction plans.
- 3. Gas Line Location: Move proposed gas line on east side of the Street to underneath the Street.
- Sewer Lines: Reline sewer lines on both sides of the street instead of installing new lines.
- New Water Lines: Any new waterline locations shall minimize intrusion into existing trees (consider installing all new waterlines under the street to reduce any future tree damage).

Staff Recommendation for 3, 4, 5: At final utility coordination, many will be moved to the roadway (gas and water to roadway). Will not delay the project. Also, a section of sanitary sewer can be lined

- Road elevation: Relate Franklin Road elevation to finish floor elevation of the homes, particularly for the six houses located north of Old Liberty Pike.
 - Staff Recommendation: Any change would result in a major delay and major expense. May not be able to make the storm and sanitary sewer infrastructure work. There are no proposed changes to the road elevation.
- Construction Easements: Do not create any temporary construction easements that will endanger or kill trees.

Staff Recommendation: Temporary construction easements are based on what is needed to build the project. We always evaluate these with individual property owners. We only purchase easements necessary to complete the construction phase of the project.

- 8. Historic Markers: Preserve the historic stone columns marking the entrance to Myles Manor Court and Winslow Road.
 - Staff Recommendation: The temporary removal and replacement of these historic markers was previously coordinated with the Planning Department's Preservation Planner.
- Lighting: Levels should be lower and less intrusive than those on Hillsboro Road (confirm exact location of lights, number of lights, height of lights, brightness of lights, etc.)

Staff Recommendation: We are required to meet TDOT lighting guidelines. Looking at a back shield to make less intrusive lighting on the roadway but not spill into homes. Some requested a change of lighting style. Exhibit shows Acorn style lights (Streetscape style) from the bridge to

Liberty Pike, and Rural style lights from Liberty Pike to the Industrial Court as Option 2A and Rural Style from the bridge to the industrial court as Option 2B. A cost of \$30,000 to meet lighting standards for Option 2B.

- 10. Tree reimbursement: Fair tree compensation and treatment with a and b options.

 Staff Recommendation: The valuation placed on existing improvements to be acquired by the City is based on the Marshall and Swift® Cost Approach. Property owners will be compensated based on the estimated cost to cure or the estimated cost for the property owner to replace the impacted trees.
- 11. Consider stamped asphalt brick patter for the center turn lane for Franklin Road.

 Staff Recommendation: Not recommended. The initial cost is estimated at \$350,000. To maintain the decorative appearance, the asphalt would need to be recoated every five years with an epoxy-based coating. Would become a major maintenance burden/cost and staff recommends disapproval of the request.

Section numbers in the Resolution are incorrect and show duplicate numbers. The Section numbers will be corrected.

Citizen Comments:

- Brad Dumke, 324 Liberty Pike (Jamison Station Condo Owners Association) –The resolution reflects thoughtful analysis of the resident's requests. They don't want any changes that would delay the project. Sidewalks are needed for the safety of walkers
- Blair Adamson, 215 Franklin Road: Wants rural style lighting for the entire project. It is more appropriate. He was under the impression the City had road stamping equipment for the decorative middle lane, someone said that at a previous meeting. He prefers the ditches along the road vs. curb and gutter. He requested the record reflect that they are not getting the best solution with lawn pedestals for the underground utilities (as opposed to underground vaults).
- D. J. Davis, 219 Franklin Road: Speaking for all, the trees are as important as the buildings. Each time a tree is removed it takes away Stormwater. Likes utilities under the street and wants more under the street to save trees. There are only four homes with overhead lines coming from Franklin Road; wants those underground to the meter with the owner responsible for taking the line to the house.
- Paul Lebovitz, 102 Winslow Road: Wants texture instead of asphalt or scored concrete for this gateway. He would approve brick for the middle lane. A lot of people will be walking up and down Franklin Road, so it is important to have Historic Markers for learning the history of Franklin Road. Make that 3c to look at alternatives.
- Mike Reinfeldt, 119 Jamison Station Lane: In favor of the project. He said Paul Holzen and Jonathan Marston have done a good job of getting information to the residents. Option 2a with the bike lanes striped is a good choice. It is important to get this done on time and on budget.
- **★** Item 17 was addressed after Item 14.
- 15. 18-0992 Consideration of ORDINANCE 2018-42, "An Ordinance to Establish a No Parking Zone on South Margin Street and to Implement a Pavement Marking and Signage Plan." (CIC recommended to stripe 8 parking spaces)

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

Not addressed due to time constraints.

- **★** Item 16 address prior to Item 5
- 16. 18-1042 Consideration of City of Franklin Contract No. 2018-0155 of the Parkland Impact Fee Allocation Toward the Construction and Maintenance of a Mountain Biking Trail System. (The Standard)

Vernon Gerth, Assistant City Administrator Lisa Clayton, Parks Director Dr. Dearl Lampley, Vice President Williamson Campus Columbia State Community College came to the table with Lisa Clayton.

In 2016, the City was approached by Gateway Mosby Cool Springs, LLC regarding the new development called "The Standard of Cool Springs." As part of fees assessed by the City, parkland impact fees were applied. Due to mountainous terrain, the development was very limited in the scope of traditional park elements. They requested a meeting with the Parks Department to see what options there might be for their residents. Simultaneously, Parks was already working with Ovation to construct mountain biking trails on their hilltops and ultimately connect to Liberty Park. This was also an opportunity to approach Columbia State's campus about extending the mountain biking trail to their property. Mosby Cool Springs requests to enter into an agreement that will transform the Cool Springs area and provide an alternative recreation amenity not only for the impacted residents but for Columbia State students and all citizens of Franklin.

The project will cost is \$1.6 M and impact fees total \$1.4 M. It is 4.7 acres of land plus easement. Parkland Impact Fees will build the trails. There is a 15-year maintenance agreement for the HOA.

Dr. Lampley said this will be a wonderful addition to the school biology labs as well as people coming in.

★ Alderman McLendon joined the meeting at 5:19 p.m.

Ouestions were asked and answered.

★ Item 17 was addressed after Item 14.

18-0604 Discussion on Irrigation Metering Structure.

Michelle Hatcher, Water Management Director

Updated Irrigation Fee information was distributed for 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 Meter Fee

- Current Impact Fee = \$3,150 (3/4" Residential)
- 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

Options:

17.

- Continue Existing practices
- Implement a Winter Pricing Model
- Evaluate Irrigation impact fees.

Usage Calculation - Residence on Winder Drive:

- Example: Winter Pricing Model (May 2013-April 2018)
 - Summer Months (May through October)
 - · Winter Months (November through April)
 - Average consumption during winter applied to Sanitary Sewer Bill during summer months
- Total Summertime Usage = 393,000 Gallons (5 years)
 - SFUE = 350 gallons/day (metric used for daily demand)
 - Daily summer usage = 437 gallons/day (86 gallons more than SFUE)
 - Daily Peak summer usage = 30,000 gallons/month (2.9x SFUE)
- Total wintertime usage = 140,000 gallons (5 years)

Sewer - Winter Pricing Model

- Using today's rates & existing structure, resident would pay \$755/year for sewer
- Using today's rates and winter pricing model, resident would have paid \$437/year for sewer
- Annual loss of revenue to sewer fund = \$318 for this customer

Irrigation Water – Irrigation Meter Impact Fee

Item	Amount		
3/4" Irrigation Meter Impact Fee	\$3,150		
Installation Fee	\$756		
Total Irrigation Meter Fee	\$3,906		
Return on investment using today's rates	12.3 years		
Total Irrigation Fee for 5-year ROI	\$1,590		

Summary:

- Issue: Sanitary Sewer charges for water that is not entering sewer
- Recent Conservation efforts have reduced COF domestic demand by over 10%, allowing for an increased level of service to customers with the existing rate structure.
 - 2009 demand was calculated at 6,607 gallons/month
 - 2017 demand was calculated at 5,936 gallons/month
- The example summer average usage is more than the typical SFUE in which infrastructure is designed.
- Impacts related to encouraging irrigation:
 - Daily use higher than SFUE equates to larger infrastructure needs (mains, booster stations, tanks, etc.)
 - Increased used of irrigation water will result in increased purchased water from HVUD, resulting in higher projections for purchased water and higher minimum bills from HVUD.
 - Cost of Service study performed to determine full impact of this change
- Considerations:
 - Eliminate declining rate for sanitary sewer
 - Reevaluate inclining rate in water to encourage consumption within the SFUE
 - Establish irrigation meter impact fee to at least recover cost of installation
 - · Consider the use of rates to recapture loss of impact fees related to water consumption

Comments:

- 8,000 gallon/month average would pose problems for the system
- Many homes are being built on smaller lots
- Needs to be more affordable, more available and still cover our costs.
- Impact fee
- 18. 18-1143 Discussion Concerning the 2nd Avenue Parking Garage.

Eric Stuckey, City Administrator Paul Holzen, Director of Engineering

Not addressed due to time constraints.

19. 18-0990 Consideration of Ordinance 20218-40, "An Ordinance to Establish No Parking Zones and to Approve a Signage and Pavement Marking Plan for Church Street."

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

Not addressed due to time constraints.

20. 18-0991 Consideration of Ordinance 2018-41, "An Ordinance to Revise the Traffic Flow, Pavement Markings, and Signage on Cummins Street between Church Street and 5th Avenue South."

Paul Holzen, Director of Engineering

Not addressed due to time constraints.

21. 18-0993 Consideration of Ordinance 2018-52, "An Ordinance to Establish a No Parking Zone and to Implement a Pavement Marking and Signage Plan on 7th Avenue North between West Main Street and Fair Street".

Paul Holzen, Director of Engineering

Not addressed due to time constraints.

22. 18-0988 Consideration of ORDINANCE 2018-38, "An Ordinance to Establish All-Way Stop Control at the Intersection of 3rd Avenue North and 4th Avenue North".

Paul Holzen, Director of Engineering Jonathan Marston, Assistant Director of Engineering Not addressed due to time constraints.

23. 18-0989 Consideration of ORDINANCE 22018-39, "An Ordinance to Establish All-Way Stop Control at the Intersection of 1st Avenue South and Church Street."

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

Not addressed due to time constraints.

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None

Adj	ournment
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Work Session adjourned @ 6:50 p.m.

Voting session will convene @ 7:05 p.m.

Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office 1/30/2019 1:27 PM