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**MINUTES OF THE *SPECIAL* WORK SESSION  
BOARD OF MAYOR AND ALDERMEN  
FRANKLIN, TENNESSEE  
CITY HALL BOARDROOM  
TUESDAY, JANUARY 27, 2009 – 5:00 P.M.**

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**Board Members**

Mayor John Schroer	P	Alderman Dana McLendon	P
Alderman Clyde Barnhill	P	Alderman Ken Moore	P
Alderman Pearl Bransford	P	Alderman Ann Petersen	P
Alderman Beverly Burger	P	Alderman Michael Skinner	P
Alderman Dan Klatt	P		

**Department Directors/Staff**

Eric Stuckey, City Administrator	P	Eric Gardner, Engineering Director	P
Vernon Gerth, ACA Community & Economic Development	P	Shirley Harmon, HR Director	P
Russell Truell, ACA Finance & Administration	A	Mark Hilty, Water/Wastewater Director	P
David Parker, City Engineer	P	Gary Luffman, Planning Director	P
Shauna Billingsley, Interim City Attorney	P	Tom Marsh, Interim Codes Director	P
Rocky Garzarek, Fire Chief	P	Joe York, Streets Director	P
Jackie Moore, Police Chief	P	Brad Wilson, Facilities Project Manager	P
Fred Banner, MIT Director	P	Lanaii Benne, Assistant City Recorder	P
Lisa Clayton, Parks Director	P	Linda Fulwider, Board Recording Secretary	P
Becky Caldwell, Interim Director Solid Waste	P		

**1. Call to Order**

Mayor John Schroer called to order the Work Session of the Board of Mayor and Aldermen, City of Franklin, Tennessee, Tuesday, January 27, 2009 at 5:00 p.m. in the City Hall Boardroom.

**2. Citizen Comments**

None

**WORK SESSION DISCUSSION ITEMS**

- 3.\* Consideration of RESOLUTION 2008-28, A Resolution to Authorize the Construction of Sanitary Sewer Improvements in the Country Road Subdivision Area (Deferred from BOMA 10/28/08)**

**David Parker, City Engineer**

Alderman Burger related they are still working on this and she would pull it from the Consent Agenda at the 7:00 p.m. meeting.

**4.\* Consideration of Financial Advisor Contract Services (Purchasing Office Solicitation No. 209-022 for The Finance Department (not budgeted in FY2009; to be Allocated to 110-85525-41500)**

**Russ Truell, ACA Finance & Administration**

Eric Stuckey related this item was discussed at the January 22 Budget & Finance Committee meeting. Seven firms responded to the request for qualifications. Of the seven, three were chosen to interview. Mayor Schroer, Russ Truell, and Mr. Stuckey recommend Public Financial Management, Inc. (The PFM Group) of Memphis as financial advisor to the Finance Department. PFM was selected because they blend national experience with experience within Tennessee. They are the largest firm of its kind in the United States. PFM is an independent firm dealing with public entities. They do no underwriting. Mr. Stuckey said he had experienced working with them in Hamilton County, Ohio.

PFM will be asked to develop principles and ideas for policies on debt, reserves, etc., and to work with staff in modeling for future projects as well. They are fee based and the expectation is approximately \$10,000 will be spent. As to length of contract, Mr. Stuckey said the initial contract could be for one year; however, a longer-term relationship is anticipated.

Alderman Moore pointed out the contract had arrived shortly before the Budget & Finance Committee convened; therefore, it was not reviewed. Mayor Schroer is asking for approval to negotiate with PFM. As this is not in the Budget, an amendment will be required.

**5. Discussion of Decertification of Lewisburg Pike as a Designated Truck Route**

**Alderman Michael Skinner**

Alderman Skinner spoke of the chronic traffic problems on Lewisburg Pike, south of Mack Hatcher, and that he seeks a solution to alleviate traffic in that area. Most of the neighborhoods are close to the street. He asked for clarification from Engineering as to what authority the City/BOMA may have. Eric Gardner stated state routes around Franklin are designated truck routes to keep traffic off downtown streets.

Copies of a map with an alternate route distributed. Alderman Skinner thought if truck route signs were removed, it could cut down on some truck traffic although trucks could still use Lewisburg Pike (431). An alternate route to Spring Hill and Columbia could be Columbia Pike (31). Alderman McLendon commented that would just move the traffic to another congested road.

Alderman Skinner asked the procedure to address the State. Mr. Gardner advised the City has no authority to declassify a truck route unless an alternate route of similar length can be identified. Alternative routes discussed. Alderman Burger noted the State rejected a previous request from the City. Alderman Skinner wondered if the request would have more impact if citizens were involved.

Vernon Gerth said the City could do something about the signs. In the meantime, there should be a meeting with Alderman Skinner's constituents to explain the City's limitations in making changes of this kind. Alderman Skinner reiterated he wanted clarification of what the City can do.

- 6.\* Consideration of the Award of the Construction Contract for the Granbury Street Water Main Improvements Project to Scott and Ritter, Inc. in the Amount Bid of \$289,030.00 (Budgeted in Water Management Department FY2009 CIP in the Amount of \$230,000) (Deferred from WS 1/13/09)**

**David Parker, City Engineer**

David Parker related the reason for deferral was they did not have bid tabs and now they do. The recommendation is to go forward with the award. An amendment to in the Water Budget required as money is available from other sources.

- 7. Consideration of Special Permit for CJ's Off The Square for the Purpose of Operating a Private Recreational Facility on .39 Acres, in an OR (Office Residential) Zoned Area, Located at 218 Third Avenue North, Franklin, Tennessee (FMPC 12/18/08 passed unanimously.)**  
**Vernon Gerth, ACA Community & Economic Development**

Vernon Gerth asked if there were any questions about this operation. He noted a neighborhood meeting was held.

Robert Moore, a property owner just below the facility, said he is working with CJ's for extra parking as needed. He is in favor of this business locating at 218 Third Avenue North.

- 8. Consideration of ORDINANCE 2008-55, An Ordinance to Amend Section 105 of Title 8 of the Franklin Municipal Code Relative to Restrictions as to Locations of Retailers of Alcoholic Beverages (Deferred to Work Session on Second and Final Reading from BOMA 12/09/08)**  
**Vernon Gerth, ACA Community & Economic Development**

Shauna Billingsley, Gary Luffman, Vernon Gerth, and Alderman Burger provided input for this ordinance to address questions that were raised. Maps of previous zoning and existing zoning reviewed.

Mr. Luffman talked about serious criminal activity occurring years ago when there were three retail liquor stores downtown. During discussion, it was noted the demographics of downtown have changed over the years as has the nature of retail liquor stores.

Mayor Schroer noted this ordinance has had one reading and will come back for final reading as amended.

- 9. Consideration of Easement Agreement with ATMOS Energy**  
**Shauna Billingsley, Interim City Attorney**

David Parker explained ATMOS must go across property the City purchased on McEwen. Shauna Billingsley stated the gas line is already there. An agreement is needed should problems arise.

- 10. Consideration of the Professional Services Agreement with Boozer & Company, P.C. for the Appraisals on the South Carothers Parkway Project in an Amount of \$12,000**  
**Eric Gardner, Engineering Director**

Mr. Gardner advised the design plans are basically complete and they want to move forward with appraisals. There is no funding at this time. Briefly discussed fund(s) to use.

Alderman Petersen asked the status of the Hillsboro Road project as it is a higher priority and this project should not be moved ahead of Hillsboro. The items on the priority list should be done before this is pushed forward. Staff must understand BOMA set priorities. Mr. Parker replied staff is well aware of the priorities and as discussed previously, there are issues that come up. They are pushing priorities appropriately.

Alderman Barnhill noted the Capital Investment Committee would address this project at their meeting scheduled Thursday, February 12.

**11. Consideration of the Agreement with Columbia Gulf Transmission for the Crossing of the Columbia Gulf Gas Transmission Lines located in the Forrest Crossing Golf Course for the Construction of the City's Goose Creek Area Interceptor Sewer and Fiber Optic Lines**  
**David Parker, City Engineer**

Mayor Schroer said there were insurance issues associated with this item. David Parker noted a portion of the project is on hold. The Law Department approved the agreement.

**12. Consideration of Change Order No. 1 for L&C Contractors, Inc. for the Goose Creek Area Water System Improvements Project for an Increase in the Contract Amount of \$1,140.00 for a New Total Contract Value of \$1,443,673.50**  
**David Parker, City Engineer**

Mr. Parker said there was confusion at bidding regarding identification of City vs. County road for bonding.

**13. Consideration of ORDINANCE 2008-66, An Ordinance to Amend the Permitted Use Status of Charitable, Fraternal, or Social Organizations (FMPC 12/18/08 vote: 7-0) [Continued from WS 1/13/09]**

**Planning Department**

Gary Luffman presented four options to address concerns about the way this ordinance was written as to where these can be located:

1. Continue to prohibit any of these uses within the CC and OR Zoning Districts, as presently outlined in the existing Zoning Ordinance
2. Allow the uses anywhere within the CC and OR Zoning Districts
3. Allow the uses everywhere within these districts, except the downtown core area with specific streets identified; or
4. Permit the uses above the ground level, as stated in Ordinance 2008-66, except if the building is a single story, the use is allowed

BOMA members prefer Option 2.

**14. Review and Discussion of Temporary Sign Definitions**

**Vernon Gerth, ACA Community & Economic Development**

Examples of many different sign categories presented FYI. Mr. Gerth said he wanted to make it clear the intent of defining temporary signs is to provide definitions and opportunities for businesses to advertise. There are plans to meet with businesses to discuss definitions and options. Mr. Gerth acknowledged Mike Lepore for his work on the definitions and taking pictures of various signs

Alderman Burger said this is something serious as it affects safety and the vitality of our businesses. She related an incident she witnessed: a sign-twirler lost control of the sign and the sign ended up in the roadway near the intersection of Liberty Pike and Mallory Lane.

It was asked if the signs presented would no longer be allowed. There will be further discussion.

**15. Consideration of the Professional Services Agreement with Civil & Environmental Consultants, Inc. (CEC) for the Design of the Jim Warren Park Stormwater Pond Improvements in an Amount Not to Exceed \$48,000**

**Eric Gardner, Engineering Director**

Funding from Stormwater fund.

**16A. Review and Discussion of Updated City Logo**

**Alderman Dan Klatt**

**Milissa Reiersen, Communications Manager**

Materials were distributed that included existing City and Department logos as well as Wayfinding logos and the proposed updated logo and seal developed by Alderman Klatt.

Alderman Klatt said he wanted the logo and seal to connect back to the historic, yet be updated. It should be used consistently throughout the organization to project a positive image. He feels the City's image is confusing with so many different department logos. He recommended the City take the initiative to adopt as policy that wherever there is signage, as on a project site, vehicles, etc. the same logo will be used. The intent is that as vehicles and larger things are replaced the new logo will be used. He served on the Wayfinding Task Force and there will be coordination of color and style between the two.

Color palettes and font structures for letterhead, business cards, and media release forms, clothing, etc. were reviewed. Templates for letters, memos, etc. will be provided to use in for correspondence. The Fire Department logo will be red and the Police logo blue. Not all items that carry the logo have been discussed. Also, there are some "don'ts" associated with logos. Alderman Klatt added that the Wayfinding signage is to direct visitors and does use an image of the courthouse. Franklin is the County seat and the County will use coordinating Wayfinding signage as well.

Board members were very much in favor of the new simplified logo to use throughout the organization.

**16B. Review and Discussion of Coordination Between the Streetscape and Wayfinding Projects**  
**Vernon Gerth, ACA Community & Economic Development**  
**Erin Reinders, Principal Planner/Long Range Planner**

Erin Reinders spoke of coordination between Streetscape and Wayfinding signage. Below are recommendations included in a memo to BOMA.

Recommendations:

1. Request EG&G update medallion details to reflect new City logo using raised bronze graphics and text with a burgundy recessed background (per sheet 2.6, Basic Standards of the Wayfinding drawing package) for Streetscape projects.
2. For consistency, both street markers from the streetscape plan and the district marks from the Wayfinding plan should be used. The neighborhood district markers serve a purpose other than identify the cross streets and instead identify the specific districts gateway. They are not on every street. Given that, streetscape should incorporate the new markers as work is being done on Hillsboro Road/Fifth Avenue and Third Avenue.
3. Because the Wayfinding package incorporates light poles and fixtures not typically used the downtown area and because there other banners servicing similar purposes also proposed, the 9 foot name banners should be eliminated from consideration.

Alderman Klatt related the City sign shop has amazing capabilities that have not been tapped. They can cut metal to the shapes of the Wayfinding signs and make them for a lower cost. They cannot bend the metal to a curve as specified on the drawings. Consideration must be given to maintenance or replacement when damage or graffiti occurs. The program should be one City staff could maintain. Joe York and Engineering will work through this to accomplish the Wayfinding signage for less money. The key is to adopt a policy and move the forward.

**17. Consideration of the Agreement with Middle Tennessee Electric Membership Corporation (MTEMC) for the Conduit Duct Bank System for Carothers Parkway, Phase II Improvements**  
**David Parker, City Engineer**

Mayor Schroer stated there would not be an agreement. He reminded the Board that the City had suggested creating a special assessment district and that was turned down. He had talked about what could happen without a special assessment. This agreement is to put in a small duct bank system to serve only the power needs of the City.

David Parker related this is a bigger issue that includes other projects. MTEMC will not energize street lighting unless lines are overhead or in a duct bank and the City owns and maintains the lights. He added the issue would be coming back for more in-depth discussion as well as being on the agenda for the Capital Investment Committee.

Mayor Schroer noted that traditionally the City would pay. He suggested the City not do that anymore if developers will not pay. They will then have to do it on their own property at higher costs when development occurs. The cost will be higher than if had been under the special assessment district.

Alderman Klatt pointed out there is neither franchise agreement nor any other agreement with MTEMC. If the City needs to own and maintain the lights then that is what needs to be done.

The Mayor said there is a bigger issue of how to proceed with new road construction with owners on how they want it done if they do not want to do it upfront

Mr. Parker stated the City does have an agreement for almost \$2 million with MTEMC on this particular project. The agreement will have to be brought back to rescind.

## **18. Consideration of Bicentennial Park Project Review**

**Lisa Clayton, Parks Director**

Vernon Gerth said an option for this park is to begin constructing a trail system on the east side of the park and progress toward Hillsboro Road. City workers could re-grade the front area of the property by bringing in topsoil from Harlinsdale Park. Parks could seed and straw the area making it accessible as an open green space for citizens. There is money to construct some of the trail along with the \$100,000 grant from Conservation Trails. Staff could do some design work with the grant money. In May 2007 BOMA approved \$1.3 million to design Third Avenue Extended and this is part of that. Over 95% of Third Avenue and the park were designed by Studio 8. Almost \$300,000 is for construction and construction administration. Approximately \$200,000 still owed for these documents.

Alderman Petersen pointed out that much of this land is in the flood plain and she does not think top soil can be brought into flood plain. Also, Bicentennial Park is not one of the priorities. Mayor Schroer said most of the money has been spent. The point is the City has lots of land not open to the public. This is an opportunity with Third Avenue going through, to make this open greenway to get to the river. That is the direction to take.

Bob Moore came forward regarding an error in the appraisal of a tract he owns that is part of this area. The appraisal shows a 2.087-acre tract when in fact it is 2.28 acres. Also, it is appraised as though this tract has no public access and it does have public access. He requested the appraiser be appraised and the error corrected.

Mr. Moore would like the City to delete his five parcels until the Third Avenue Extension is complete. The rest of his property lies on Fourth Avenue and he wants to develop an old house there as an office as well as build a miniature golf course. His property is held in limbo and he wanted to know how much longer the project would be delayed.

Mayor Schroer advised BOMA voted last month to reappraise the properties and the plan is to move forward as quickly as possible after completion of the appraisal, within 45 days. He added he would make sure the correction was made to the appraisal.

Matt Taylor of Design 8 came forward and stated he had been working closely with the City and Lisa Clayton for almost four years. The intent was not to build it out all at one time, but over a span of years. He asked that the City sit down and talk with him before the entire master plan is scrapped.

Mr. Taylor advised laying top soil on flood plain could cause problems that prevent water from getting back to the river. The pavilion was saved partly because of history and it is inhabitable. If the City creates trails around it, it might be a safety issue. It has taken a long time to get to this point on what is meant to be an economic generator for downtown. Redefine the northern gateway to something to be proud of on something that is otherwise no more than undevelopable property.

The first phase is ready to go to bid. He would like to talk to each alderman personally to relate how things got to this point. He is passionate about it as are many other residents. Pinkerton Park is a large green space. He wants to talk to staff about what is safe and allowable. It has taken a long time learn about the intricacies of the site and the dangers still there. He asked BOMA not to do anything now to preclude the master plan and waiting until economic times are better.

Alderman Barnhill asked if the \$1.3 million was just for design. Mr. Taylor said the amount was closer to \$1 million and included working with TDEC, Third Avenue construction documents, construction administration, Wayfinding discrepancies, storm water, and other things coming through that were not part of the project. Mr. Taylor offered to show the aldermen a full set of drawings.

Alderman Klatt added, the City paid, build what the City can afford, get infrastructure in and work with the consultant from there.

**19. Review and Discussion of Customer Service Expectations and Commercial Plan Review Process**

**Vernon Gerth, ACA Community & Economic Development  
Tom Marsh, Interim Codes Director**

Due to time constraints this item will be discussed at next Work Session

**20. Status Report on Police Headquarters Building**

**Brad Wilson, Facilities Project Manager**

Mr. Wilson provided updated project budget status sheets. The updates do not include any credits for change orders that will be voted on tonight, however, those will go back in. Weather permitting, bricking will begin next week. Framing is in progress on the second floor. They will pour the parking deck soon. The aldermen were invited to tour the building in late February.

Monthly reports will include other projects as well as progress on the police building.

**ADJOURN**

Work Session adjourned 6:51 p.m.

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Mayor John C. Schroer

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 2/14/2009 9:00 AM