
**MINUTES OF THE WORK SESSION
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, FEBRUARY 10, 2009 – 5:00 P.M.**

Board Members

Mayor John Schroer	P	Alderman Dana McLendon	P
Alderman Clyde Barnhill	P	Alderman Ken Moore	A
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	P	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
Becky Caldwell, Interim Solid Waste Director	P	Linda Fulwider, Board Recording Secretary	P
Lisa Clayton, Parks Director	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, on Tuesday, February 10, 2009 at 5:00 p.m. in the City Hall Boardroom.

2. Citizen Comments

None

WORK SESSION DISCUSSION ITEMS

3. Discussion of Decertification of Lewisburg Pike as a Designated Truck Route

(Continued from WS 1/27/09)

Alderman Michael Skinner

Vernon Gerth provided revised copies of a memo included the packet. Per ordinance, Lewisburg Avenue (State Route 106, US 431) from Mack Hatcher (State Route 397) south to the southern city limits and north of the CSX rail crossing is designated as a truck route. TDOT is responsible to prohibit and limit truck traffic on State or Federal routes. The City, through ordinance, could remove signage identifying Lewisburg as a truck route, but trucks could still travel on it.

Two options are available:

#1 - Through an ordinance amendment, BOMA may add or remove the local "Truck Route" designation from any roadway unless otherwise designated by TDOT, e.g., If BOMA passed an ordinance amendment to remove Lewisburg Avenue from the list of "Truck Routes" the small "Truck Route" signs can be removed, but because State and Federal routes are designed to accommodate heavy vehicles, the City does not have the authority to prohibit trucks from traveling on Lewisburg Avenue or any other State and Federal designated road unless restricted by TDOT.

#2 - By Resolution, BOMA can direct staff to prepare and submit a request to TDOT for consideration of prohibiting or limiting truck traffic on Lewisburg Avenue between Mack Hatcher & Donaldson Creek or any other State or Federal route within the City. These requests and designations are extremely rare and the State utilizes criteria for making such determinations. One criterion is making sure there is an alternative route of similar distance and access available.

Alderman Skinner said these options are not mutually exclusive. Option One could be done and still carry though with a resolution to the State as described. He is in favor of doing both.

Richard Berg, Hunters Chase resident since 1986, and HOA president for 14 years, spoke of how Lewisburg Pike has changed in 20 years and how it will continue to change with further development. If it becomes like Carothers Parkway, there should be no trucks. He asked the City to support the residents desire to decertify Lewisburg Pike as a truck route. As individual residents, they cannot get anything done through TDOT.

Discussion ensued on alternate routes and differences in mileage compared to the Lewisburg route. Alderman Petersen referred to an alternate route proposed by staff at the last meeting and said she believes there are better alternatives.

Alderman Skinner recommended the City proceed with Option One and have legal draw up what is needed to pursue Option Two. TDOT will be contacted. He reiterated his desire to meet with the residents to show the City supports their request. Mayor Schroer said his concern is getting their hopes up if there is no chance for the decertification.

4.* Consideration of Revision to City Hall Mall Office Lease Agreement

Eric Stuckey, City Administrator

Congressman Marsha Blackburn's office space lease is up for renewal. A two-year lease renewal with a 90-day termination notice provision is recommended.

5. Consideration of ORDINANCE 2009-01, An Ordinance to Rezone 27.91 Acres from Estate Residential (ER) to Civic and Institutional (CI) for Property Located at 1720 New Highway 96 West

(FMPC 1/22/09 approved 8-0)

Gary Luffman, Interim Planning Director

Mr. Luffman explained this is a new process of approval. It is the first plan to come before the Board under new Zoning Ordinance. The Concept Plan was presented at a joint FMPC/BOMA meeting. The property to be rezoned to CI is close to Westhaven and next to the proposed Mack Hatcher.

6. Consideration of ORDINANCE 2009-02, An Ordinance to Amend Various Sections of Chapter 5 of the City of Franklin Zoning Ordinance to Clarify Requirements and Correct Minor Textual Errors

(FMPC 1/22/09 approved 8-0)

Gary Luffman, Interim Planning Director

Mr. Luffman indicated the amendments are mainly word substitutions with some sentences added. Minor corrections.

7. Consideration of RESOLUTION 2009-05, A Resolution Approving a Revised Concept Plan for McEwen PUD, Totaling 93.32 Acres Located Along West McEwen Drive, by the City of Franklin, Tennessee

(FMPC 1/22/09 approved 8-0)

Gary Luffman, Interim Planning Director

This item is a revision of the Concept Plan under the old Zoning Ordinance - a modification of standards. A representative from Southern Land was present.

Alderman Burger wanted to be sure the 30' light poles provide adequate lighting for safety. She was assured higher lights provide more security. There was some discussion on placement of the poles and the higher poles being in just one quadrant.

Alderman Petersen wanted to address signage, as it is different from elsewhere in the City. Alderman Burger mentioned that some of the signs would be seen internally but not externally when driving by the development. Southern Land's representative assured that signage must pass Southern Land's high standards as well as City standards.

Alderman Skinner asked about the visual impact of larger parking lots – would a sea of cars be visible. The response was there would be vegetation barriers. Urban versus suburban design discussed as the development has both. Alderman Skinner voiced concern related to changes between the old and new Zoning Ordinance and adding a parcel to the plan. He was assured the Planning Commission looked at each change individually. It has been a difficult to mesh the urban and suburban in the right way.

Doug Sharp of Southern Land advised this parcel is not an addition to the project. It was and is owned by Southern Land.

8. Consideration of RESOLUTION 2009-06, A Resolution Approving a Revised Concept Plan for Waterford Crest PUD Totaling 68.65 Acres Located North of Liberty Pike and 500 Feet East of Carothers Parkway by the City of Franklin, Tennessee

(FMPC 1/22/09 approved 8-0)

Gary Luffman, Interim Planning Director

Mr. Luffman advised the Concept Plan is being revised and parts of the new Zoning Ordinance are kicking into place. The applicant agreed to pay in lieu of; therefore, increasing the units to 356. Alderman Petersen commented that is a 50% increase.

Alderman Barnhill asked if there was a choice. Mr. Gerth responded it is up to the City and Parks did not need the land. Once there is a master plan for greenway and open space, the plan will indicate if land or money is needed.

Alderman Petersen wondered if this is in addition to Facilities Tax that covers parks. Removing Parks from Facilities Tax has been mentioned. Mayor Schroer clarified it was said that hopefully the City could use Hotel/Motel Tax on Parks and Facilities Tax for other projects. Russ Truell said there is a complication. Per legal counsel, the rate of the Facilities Tax cannot be increased even though prices have gone up. The reality is unless legislation changes there will not be enough money for parks. Another way to fund must be found.

Alderman Klatt asked if they are still working through the equation to figure fee in lieu of on residential development. Does commercial development figure in the equation as well? He wants to make sure what is applied is fair across the board. The answer was yes.

Alderman Bransford asked if there would be an opportunity for affordability in the increased density. Mr. Gerth responded there would not.

- 9. Consideration of Inter-Planning Commission Review of Site Plan and Conditional Use Review for Southside Animal Hospital, on 3.02 Acres Located at 4180 Clovercroft Road in the 4th Voting District**
(FMPC does not vote on items of this nature) **Gary Luffman, Interim Planning Director**

Mayor Schroer said this property is in the UGB but not in the City. Comments are welcome; however, this is a non-voting issue. The property is on the west side of Wilson Pike; has two septic fields and is at the end of Clovercroft and Wilson Pike, 1,100 feet from the City limits. It was asked how close it is to sewer. Alderman Petersen commented it would be much too expensive to install a force main over a hill to this property.

Vernon Gerth announced Kelly Dannenfesler would be speaking on issues concerning the UGB and the value of annexing into Franklin for the future, at the joint meeting prior to the FMPC meeting on February 26.

- 10. Consideration of the Property Sale Escrow Instructions for the Herbert Property on Royal Oaks Boulevard to McDonald's Real Estate Company**
David Parker, City Engineer

David Parker commented this involves closing instructions.

- 11. Review and Discussion of Customer Service Expectations and Commercial Plan Review Process**
(continued from WS 1/27/09) **Vernon Gerth, ACA Community & Economic Development**
Tom Marsh, Interim Codes Director

Mr. Gerth and Mr. Marsh gave a presentation on meeting customer needs and commercial plan review.

Per memo to BOMA: "Pre-Occupancy Inspections: Prior to leasing or purchasing a tenant space or building business owners frequently consider the costs associated with renovation. Upon request, city staff representing the various departments and construction disciplines will visit a property and attempt to identify significant areas of concern based on the occupants proposed use. While it is not possible for staff to identify and acknowledge a comprehensive list until construction drawings are submitted for review, the occupant with the help of a design professional should be able to quantify the level of investment needed to proceed".

Per memo: "Commercial Building Plan Review: For over a year staff has been meeting with a group of local design and development professionals to examine the various permitting and development application processes. Predictable processing times were identified as a priority. During the summer of 2007, the Codes Department Permit Techs and Plans Examiners established an application process that guaranteed commercial building permit applications would be reviewed within twenty (20) working days or less. Since implementation, the Permit Techs and Plans Examiners have improved the process by reducing any subsequent review of plans to ten (10) workdays or less. Staff routinely performs thorough permit application reviews within these advertised times." Mr. Marsh spoke of doing this in-house with dedicated overtime for a faster turnaround time.

Mr. Gerth noted the use of IT enhancements to track capital investment projects progress online. Carl Alexander, GIS Applications Manager and Eric Gardner, Director of Engineering spoke.

They told of work being done for easier access to information on the progress of City projects on the web. They are working on an interactive map linked to a database used to update projects. GIS continually updates progress. At this time, information is entered manually. Soon there will be new software to track the financial aspects of a project.

12. Consideration of the Proposed Comcast of Nashville II, LLC Franchise Agreement
Sauna Billingsley, Interim City Attorney

Comcast submitted a first draft of an agreement that will be fully reviewed by staff. A redline version will come to BOMA as soon as possible. The City will have several changes to various sections of the agreement.

13. Consideration of Event Permit Application from My Father's House for the Cinco De Mayo Event in Pinkerton Park on May 5, 2009
Lisa Clayton, Parks Director

Issues with parking experienced last year have been resolved.

14. Consideration of Event Permit Application from the Heritage Foundation for the Main Street Festival in Downtown Franklin on April 25-26, 2009
Jackie Moore, Police Chief

No discussion

15. Consideration of Event Permit Application from Franklin First United Methodist Church (Works in Progress) for Franklin First's Fiddlin Fish 5K on April 19, 2009

Jackie Moore, Police Chief

Alderman Petersen noted the application shows the event on Saturday, April 18, 2009. Arbor Day is scheduled that day as well. Monique McCullough advised this should not be a problem as the events are not in close proximity.

ADJOURN

Work Session adjourned 6:15 p.m.

Mayor John C. Schroer

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 2/25/2009 9:16 AM