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

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**Board Members**

Mayor John Schroer	P	Alderman Dana McLendon	<b>A</b>
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	P	Mark Hilty, Water/Wastewater Director	P
David Parker, City Engineer	P	Gary Luffman, Interim 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, 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, March 10, 2009 at 5:00 p.m. in the City Hall Boardroom.

**2. Citizen Comments**

None

➤ Voluntary Roundup Program for Affordable Housing

Kelly Dannenfelser briefly explained the Round Up Program and premiered the video to be run on Channel 10 to publicize the upcoming Utility Bill Round Up Program. The spot features Heather Bottoms and David McClung of the Pull-Tight Theater. The Round Up Program was brought about as a way to contribute to the affordable, moderately-priced housing fund. Those not on City utilities may contribute by check, if they so choose. A phone blast to City utility customers will be done on Friday to assure all ratepayers are aware the program is being activated.

**WORK SESSION DISCUSSION ITEMS**

**3. Presentation of Alternative Fuel and Energy Task Force Action Plan for City Facilities and Operations**

Postponed to the next Work Session.

**Task Force Committee**

**4. Discussion Regarding Water Treatment Raw Water Reservoir**

**Mark Hilty, Water/Wastewater Director**

Mark Hilty referred to a technical memo from Metcalf & Eddy and his memo regarding maintenance and improvements to the City Water Treatment Plant Raw Water. Various improvements are required to increase the capacity and efficiency of the reservoir. Over the years, sediment and backwash materials have reduced the volume of the reservoir and infiltration losses have increased dramatically.

Several options are listed in his memo; however, he recommends Option D because of permitting issues, cost and constructability.

Option D

- Raise Spillway 2.0 ft., raise berm 8"
- Reservoir Volume (MG) - 105
- Excavation (CY) - 1,500
- Average WTP Production (MG/year) - 1,211
- Years at 0 MGD (over past 31 years) - 5 (Represents average number of days per year without water production during years when plant must be shut down)
- Average days per year at 0 MGD - 27.8
- Estimated Cost (in addition to \$2.5M for sludge removal and liner installation) - \$250,000.

Mayor Schroer talked with engineers and Mr. Hilty and all said the reservoir is an asset the City will use one way or another. If the City is not in the water business the reservoir can be used for effluent storage. If improvements are to be done the design work should be started immediately so construction can start as soon as the reservoir runs dry. Once improvements begin, it will be off-line approximately four to five months. There would still be the ability to treat water and get water from the river.

Discussion Points:

- A synthetic liner will be employed.
- Life of a liner is about 20 years, dependent on the maintenance aspect.
- The same backwash process is in place but it sends it to the wastewater treatment plant. Although expensive, it is not cost prohibitive.
- There is reclaimed piping at the front of the property, and some additional piping would be required if the reservoir is used for effluent
- The City is not set up to remove pharmaceuticals from the river. That is an emerging issue.
- The City does not employ the technology to do reverse osmosis.
- Water is going out at the back of the reservoir at a rate between 4-5 MGD.
- If the reservoir is intentionally run dry, pressure could be negatively impacted.
- There is always the potential for algae when the reservoir runs very low. The problem is treated with chemicals.

The bottom line is the leak will be repaired. It is unknown at this time if it will be this summer or late fall.

**5. Presentation of Annual Report from Williamson County Convention Visitors Bureau (CVB)**

Mark Shore shared the Tourism Investor Report for the City of Franklin. Some of the significant achievements in the past year:

- Implementation of a multi-year Strategic Plan with the Board
- Creation of a grants program with 12 grants awarded to date
- Hired an office manager and brought bookkeeping in-house
- Rolled out first public Marketing Plan
- Unveiled the first (and 13 other) Civil War Trails markers for TN
- First CVB in the nation to sign on board to the National Trust's Heritage Travel Program
- Moved to new location downtown
- Moved from a group servicing sales department to a room night booking oriented sales department.

Lodging Tax collections were up in calendar year 2008: Franklin \$1,482,038 to \$1,590,655; Williamson \$2,660,069 to \$2,674,459; Brentwood \$1,128,993 to \$1,137,471. Brentwood is still not re-investing any lodging tax in tourism promotion.

Mr. Shore spoke of possible results of an investment reduction as well as how the CVB wants to grow tourism expenditures in 2009.

Alderman Klatt asked Mr. Shore how he views the importance of the downtown core. Mr. Shore responded the downtown core is critical to tourism. Cool Springs offers the opportunity to extract tourist dollars, but the downtown corridor image is incredibly important for tourism. The CVB logo includes downtown buildings. Without the signature items to differentiate Franklin from other places, there would not be as much of a product to sell.

**6.\* Consideration of Event Permit Application from the Heritage Foundation for the Main Street Festival in Downtown Franklin on April 25-26, 2009**

[WS 2/10/09]

**Jackie Moore, Police Chief**

Monique McCullough related the biggest issue was determining where the carnival would be held with all the construction going on. That has been resolved. Conditions outlined by the City for the Main Street Festival have been agreed upon.

**7.\* Request to Change the Street Name of Shingle Way to International Drive Located in the Cool Springs East Subdivision**

[FMPC 2/26/09 vote 8-0]

**Gary Luffman, Interim Planning Director**

Mr. Luffman reported all property owners on Shingle Way were notified of the change. Property owners initiated the change.

**8. Discussion Regarding Special Assessment for Franklin Corridors and Gateway Project  
Alderman Ann Petersen**

Alderman Petersen referred to the 1989 Main Street streetscape and the greatest benefit being the increased value of the buildings and properties. For the Assessment District the property owners were assessed \$398,000 out of an estimated \$1.4 million paid on the project. The assessment was spread over a 10 year period. She believes a Special Assessment District is needed again. Those who are affected most directly should assume part of the burden. However, those who gave right-of-way to the City should be allowed to use part of this as an offset to their assessment. The idea of giving credits for granting of right-of-way is beneficial in residential areas such as Hillsboro Road where many residences have road frontage.

She envisions the assessment being set up similar to the 1989 District. It would be based on so much money per linear foot or a certain percent of assessed value, whichever is the lower number. The percent of assessed value would help the residential areas as they are assessed at a lower rate than non-residential.

Since corridors and connectors is an economic development project, she believes phasing should be reordered. In this new economy concentration should be on the areas where economic return can be seen, specifically Columbia Avenue. The economic growth potential is greater there. Also, on Hillsboro Road to improve the traffic flow. Those are #2 and #4 on BOMA's priority list as well.

Alderman Skinner said the downtown community expressed they thought it would work and expected a special assessment district.

Alderman Burger agreed with the offset for right-of-way and that enhancements should be considered. She mentioned along with the assessment it might be beneficial to look at a TIF District. She has addressed the idea with Russ Truell and it is legal to do a TIF along with the assessment.

Mary Pearce, Heritage Foundation, said she was involved with first Streetscape. The 1989 streetscape caused property values to go up and up and generated more taxes for the City. Without streetscape Franklin would not get the national recognition it enjoys. Columbia Avenue and Hillsboro Road are worn and dated and some infrastructure serves the whole community as much of the electricity started in the urban core. It is for the entire community even though located in the core. She encouraged BOMA to find a way to go forward with this.

Alderman Klatt said to weigh what has happened downtown since streetscape. Private investors have come back and invested millions of dollars renovating these buildings.

Tax Incremental Funding could be used for this project. It would be fairer. This is not a beautification project. It is to replace aging infrastructure and do things right. If we're going to invest in downtown at this time, and want to encourage that it is paid for by what comes later, do a TIF. Let it generate its own revenue as redevelopment happens. Special assessments are hard on neighborhoods. This is an investment in our future. It behooves the Board to invest in the project until it is finished. Everyone will benefit from the improvements. Everybody uses these streets.

Alderman Peterson countered that not everyone uses the downtown streets. Increased property values of those who live in the area involved will have the biggest direct benefit. That is why the people agree to a special assessment. The lower of the two options should be taken into consideration. The special assessment would not be for the entire amount of the project.

Mayor Schroer recommended staff look up dollars, scenarios, projects, plans, etc., and when that has been done BOMA should meet to discuss this topic. All options should be reviewed to know what they mean for special assessment, TIF and a mix of both.

Alderman Petersen's concern with TIF is so many properties are at inflated rates over the last 4-5 years. Alderman Bransford's concern lies with the many older neighborhoods on the periphery of downtown that need infrastructure improvement and beautification as well.

Alderman Barnhill interjected it is a never-ending scenario when saying it's this neighborhood or that one or the other. He believes in addition to improving infrastructure, it is a project for beautification and enhancement. Property values are elevated based on what is done. It is a tremendous expense on the taxpayer for downtown.

**9. Consideration of ORDINANCE 2009-XX To Be Entitled: "An Ordinance to Amend Various Sections of the City of Franklin Municipal Code, Title 7 – Fire Protection and Fireworks, Relating to the Codifying of Various Fees and Penalties"**

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

**10. Consideration of ORDINANCE 2009-XX To Be Entitled: "An Ordinance to Amend Various Sections of the City of Franklin Municipal Code, Title 8 – Alcoholic Beverages, Relating to the Codifying of Various Fees and Penalties"**

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

**11. Consideration of ORDINANCE 2009-XX To Be Entitled: "An Ordinance Amending the City of Franklin Municipal Code, Title 22 – Comprehensive Fees and Penalties for the Purpose of Codifying the Various Fees and Penalties Found in Titles 7 and 8"**

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

Rocky Garzarek and Andy King requested updates as did Steve Sims to get fees under separate title.

**12. Continued Discussion of Temporary Sign Definitions, Permits, and Regulations**

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

Mike LePore, sign coordinator, was present to address the ordinance as well. Mr. Gerth said they will soon be going to businesses and sign contractors for discussions. They will come back to BOMA with that input. He clarified this does not address signage on public right-of-way, rather temporary signage on private property. Some type sign permit to better monitor temporary signs will be recommended. The duration of temporary signs will be discussed when this issue is revisited.

**13. ORDINANCE 2009-09 To Be Entitled: "An Ordinance to Amend Various Chapters and Sections of The City of Franklin Zoning Ordinance to Clarify Requirements and Correct Minor Textual Errors"**

[FMPC 2/26/09 vote 8-0]

**Gary Luffman, Interim Planning Director**

Mr. Luffman noted this ordinance is to correct textual errors in the new zoning ordinance.

**14. ORDINANCE 2009-10, To Be Entitled: "An Ordinance to Amend Chapter 2, Section 2.4.7, and Chapter 6, Sections 6.1, 6.2, 6.3, and 6.4 of The Franklin Zoning Ordinance to Revise Requirements Relating to Performance Agreements"**

[FMPC 2/26/09 vote 8-0]

**Gary Luffman, Interim Planning Director**

The old ordinance required inspections to release bond or surety. The process was cumbersome for staff. Re-inspection fees were inadvertently carried over to the new zoning ordinance. This ordinance is to remove the fees.

**15. Consideration of White Topping – Cool Springs Boulevard Eastbound at Aspen Grove**  
**Joe York, Streets Director**

Project to cost less than \$250,000. Applied for stimulus money but unknown if approved until later this month. Asphalt with structural failure must be replaced with 8" of TDOT 501 high early strength, quick set concrete. The intersection will need to be addressed. The project could be included in the next budget.

**16. Consideration of the Right-of-Way Abandonment Request Between 208 and 210 London Lane**  
**Eric Gardner, Engineering Director**

Several residents of the Royal Oaks Subdivision have requested abandonment of the right-of-way between 208 and 210 London Lane. This small sliver of right-of-way was platted in the 1960s.

Both the Engineering and Fire departments are against abandonment. The ROW could still be important to emergency response either as a ROW or emergency access easement.

Lance Maliszewski, Royal Oaks Subdivision spokesman, said the neighborhood does not want commercial traffic entering the subdivision in this manner. They are happy with things as they are. One of the adjacent property owners is willing to maintain the ROW as he has been doing. With future commercial development they fear use would escalate. It enters London Lane on a curve and is not desirable for fire equipment.

Alderman Burger disagrees with staff as there are two distinct uses, commercial and residential. There is no purpose to enter these small residential streets where children play. Eric Gardner added there is no signal at London Lane so there is no advantage for people cutting through at that point. Further, the majority using it are residents of the subdivision. Alderman Burger wondered why someone would go through there when there are three ingress/egress points into the commercial area. The subdivision residents would rather go around to access the commercial area.

Mr. Maliszewski related that when the subdivision was developed the right-of-way went to 10 acres of land. In 1998 or 1999 the land was purchased and subdivided with six acres used for commercial and four acres deemed unbuildable.

During construction at the Royal Oaks/London Lane intersection, cars zipped through their neighborhood. If the ROW remains, a barrier should be put there.

**17. Consideration of Revised Policy for the Use of Computers, Internet and Email**  
**Shirley Harmon, Human Resources Director**

The existing policy has been streamlined and is a clear statement of expectations. Additional technology added to screen and monitor employee activity. Alderman Moore questioned the statement regarding the forwarding of emails as all are public record. Mr. Stuckey advised he would look at that statement.

**18. Purchase of Renewable Choice Energy Based on the City's Goal of Acquiring LEED Certification as Required by LEED Guidelines**

**Brad Wilson, Facilities Project Manager**

Brad Wilson remarked there is still the possibility of achieving LEED Silver Certification. Going toward the goal requires the purchase of renewable choice energy. LEED status will not be known until at least two months after the building is occupied.

Alderman Moore asked to compare the recommended source to purchase renewable choice energy to a program offered by TVA.

**19. Consideration of Approval of Service Agreement with AMEC Inc. for Underground Storage Tank Contamination Testing at the Police Department Headquarters Site and Their Recommendation for Casings at Geo-Thermal Bores in the Area at a Cost Not to Exceed \$2,610.47**

**Brad Wilson, Facilities Project Manager**

Mr. Wilson noted this was necessary and cost savings realized.

**ADJOURN**

Work Session adjourned 6:48 p.m.

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Mayor John C. Schroer

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - [4/15/2009 10:04 AM](#)~~4/15/2009 10:03 AM~~